CASE OFFICER'S REPORT

Application Reference:	PL/2023/06760
Application Type:	Listed building consent (Alt/Ext)
Site Inspection:	
Consultation ends:	08 September 2023
Case officer:	Selina (Nina) Parker-Miles

Site Address:	THE LITTLE HOUSE, 20 ALFRED STREET, WESTBURY, BA13 3DY
Proposal:	Partial deconstruction and rebuilding of leaning part of rear boundary retaining garden wall
Recommendation:	Approve with Conditions

Proposal and Site Description

This application relates to a detached Grade II listed building, The Little House, 20 Alfred Street, located within the conservation area in Westbury. The host dwelling benefits from an off-road parking area to the rear elevation. The surrounding properties comprise of a mix of building types and styles ranging from different eras. The application site falls within the Bath and Bradford on Avon Special Area of Conservation for bats.

This application is seeking permission for partial deconstruction and rebuilding of the leaning part of the rear boundary garden wall. The north-west edge of the retaining boundary wall runs alongside the public right of way (West11) known as Bitham Lane. This scheme is also subject to a sister application for Householder Consent (reference PL/2023/06687).

Policies

National Context:
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local Context:
CP57 - Ensuring High Quality Design and Place Shaping
CP58 - Ensuring the Conservation of the Historic Environment

Key Issues

Principle of Development
Impact on the Setting and Significance of the Listed Building

Relevant Planning History

W/87/00390/FUL Siting of portable office cabin - Approve with conditions
W/94/01214/FUL Change of use from offices to residential dwelling - Approve with conditions
W/96/01012/FUL Detached garage - Approve

W/96/01013/LBC Detached garage - Approve
14/07300/LBC Replacement windows and doors to the rear of property. Replacement boiler and flue to shed - Approve with conditions
PL/2022/09414 Installation of a wood burner into an existing fireplace using an existing chimney. Work to include
A) Installation of a hearthstone B) Installation of a steel register C) Installation of 3/16 stainless steel liner complete with adaptors, black vitreous pipe and a terminating cowl D) Installation of Huntingdon 30 wood burning stove E) Installation of a carbon monoxide alarm - Approve with conditions

Consultation Responses
Westbury Town Council - No objection
Wiltshire Council Conservation Officer - Support

Representations
Consultation consisted of advertisement by site notice and neighbour notification. No representation letters were received.

Planning Considerations and Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development
The proposed development comprises an works to an existing residential property set in an established residential curtilage within the settlement boundary of Westbury. The proposed development is wholly within the residential curtilage and as such the principle of development is acceptable subject to the following considerations.

Impact on the Setting and Significance of the Listed Building
From the point of view of the historic environment, the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990. Section 66 requires that special regard be given to the desirability of preserving listed buildings and their settings. The NPPF outlines government policy for planning. It sets out three overarching objectives for the planning system in the interests of achieving sustainable development – an economic objective of building a strong economy, a social objective of fostering well-designed, beautiful, and safe places, and an environmental objective of protecting and enhancing our natural, built and historic environment.

Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out policies concerning heritage and sustainable development and requires a balanced approach. National Planning Practice Guidance provides guidance on interpreting the NPPF.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that "designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance.

The Little House is a detached Grade II listed two storey dwelling located in Westbury conservation area that dates from the early 19th century. The host dwelling sits centrally within its generous private residential curtilage accessed via a pedestrian footpath to the front elevation of the host dwelling and sits back from the public highway, Alfred Street. The listing includes the railings that front the public highway located to the northeast of the host dwelling as illustrated by the site visit photo below.



The list description states, for identification purposes only, the following:
'Early C19. 2 storeys. Stucco on brick. Projecting plinth. Moulded cornice. Parapet with stone coping carried up gable ends. Slate roof. Three 5-light casements and one 2-light casement in 2nd bay from right hand, on 1st floor. Two 3-light casements on ground floor, 6-panel door in 2nd bay from right hand with side lights and plain frame, under stone Doric porch of outer piers, 2 columns, wall pilasters, entablature and blocking course, and French casements to right hand. All window lights, including French casements, have large diamond glazing pattern. 2 extensions at rear, one with 3 ranges of glazing bar windows. Long garden with dwarf wall and railings to road. Wall ramped up at each end to stone piers. Spear head railings with dog leg stanchions. Gate has dog rails and decorative panels to standard'

The application seeks to upgrade the existing boundary wall to the northwest of the host dwelling (that is not listed) as annotated on the plan insert below.



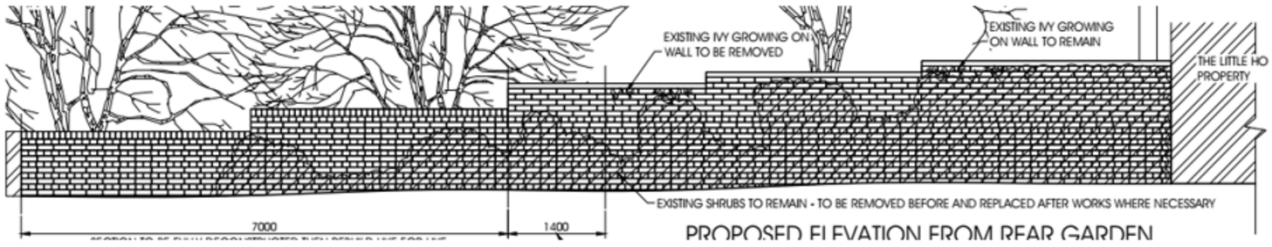


The existing wall is 2.2m high and 17m in length and consists of five stepped parts, of varying materials. The wall varies in thickness from 328mm at the base to 215mm and the top. The proposed development seeks to address the existing lean of the wall that poses a safety issue to users of the public footpath, as illustrated by the site visit photographs below where a temporary wooden retaining structure has been erected.





The lower stepped sections of the wall (7m)would be removed and rebuilt like for like with a section of 1.4m removed to allow for fully toothing in. Foundations are to be built up to create a suitable footing to build back the wall like for like.
Concrete would be added behind the retaining wall below ground level to prevent the wall from overturning in the future, with weep-holes inserted below footpath level to reduce hydrostatic pressures. The works are deemed necessary to rebuild unsafe sections of the wall introducing structural strength and future stability of the structure.



The conservation officer was consulted on the proposed scheme and offered the following points:

Site: The property is a Grade II listed building located within Westbury Conservation Area. The site also affects the setting of neighbouring listed buildings – Horse & Groom PH (Grade II) and the Bitham Mill complex (Grade II).

Proposal: The proposal seeks the partial deconstruction and rebuilding of a leaning part of the rear boundary retaining garden wall.
Relevant planning history: N/A
Issues: Impact on significance of curtilage listed wall, impact on setting of listed buildings, impact on character and appearance of conservation area
Assessment: Paragraph 194 requires that applicants describe the significance of any heritage assets affected, including any contribution made by their setting. This should include sufficient information to provide a clear understanding of the significance of the heritage asset and its setting and the potential impact of any proposals on that significance. In this case, the application is accompanied by a "Design and Access Statement" which provides sufficient information to understand the impact of the proposal and is proportionate to the scope. The requirements of the NPPF are therefore met in this respect. The host property is a Grade II Listed Building dated from early C19, with a stucco on brick façade facing the front garden. This front garden is long, with a dwarf wall and railings towards the road. Either side are red clay brick walls, topped with Bath-stone coping. The rear garden retaining wall is a clay brick wall with similar design to the front garden walls and is public facing. Wallscape within Westbury Conservation Area is an important feature which makes a positive contribution the character and appearance of this designated heritage asset.

The existing garden wall is approximately 2.2m high and about 17m in length and consists of the five stepped parts. The three closest to the house are similar, with Bath-stone coping, with the last two having on edge clay brick coping. The whole length of wall is made of two thicknesses, the lower approximately 328mm and the upper is 215mm. This step in height is topped by tile tilted fillets under the Bath-stone coping sections, or mortar tilted fillets under the on edge clay brick coping. It is unknown if the wall was constructed in multiple stages, however the wall is all fully toothed into each part.

The end of wall furthest from the property does not have a return, though is adjacent to another boundary wall. The retaining garden wall retains the soil from the garden, which is roughly level. Bitham Lane slopes down away from the property, with a difference of 1.2m between the path level and garden level at the end of the wall. The foundations of the wall are not visible, so the condition is unknown. Currently the wall leans towards the footpath, with the largest lean being at the unstrained end, approximately 220mm out of plumb. The significant lean extends from this point another 9m. It is believed that the lean is being caused by the retained material overturning the wall.

Other defects along the wall are wide open mortar joints, loose and damaged tilted fillets and differential cracking in the masonry. It has been agreed with the Conservation Team that the wall can be reduced in height temporarily for health and safety reason until the wall can be properly repaired/rebuilt. It is proposed to sequentially deconstruct approximately 7m of the overall wall length, with another partial deconstruction of approximately 1.5m. The 7m will be the last two stepped sections with on edge brick coping, and the 1.4m from the adjacent section to allow for fully toothing in.

Foundations are to be built up to create a suitable footing to build back the wall like for like. Mass concrete will be added behind the retaining wall, below ground level, to prevent the wall from overturning in the future. Weepholes will be added below footpath level to reduce hydrostatic pressures. In conclusion, the works proposed would remove and rebuild unsafe sections of the wall and introduce structural strength into the affected area of the wall, aiding future stability of the structure. The works would preserve as much as possible of the historic fabric and reuse the original materials.

Summary & conclusion: The NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset requires clear and convincing justification.
The impact of the proposals on heritage assets will be neutral and the requirements of current conservation legislation, policy or guidance are considered to be met and there is therefore no objection to the approval of the application.
Please could the planning officer condition:
i) Any new bricks to match the existing in size, colour and texture
ii) Details of mortar mix and brickbond"

It is considered that the proposed additions and alterations would by virtue of their height, scale and design constitute complementary additions to the host dwelling that would appear commensurate to the size of the property and plot. The development would therefore comply with Policy CP58 of the Wiltshire Core Strategy, Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 and Chapter 16 of the NPPF.

RECOMMENDATION: Approve with conditions

Conditions: (4)

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Site Location Plan DWG No 3992-000- Received 08.08.2023
Proposed Site Block Plan DWG No 3992-BP-B - Received 08.08.2023

Existing Plan Elevations and Section DWG No 3992-EX-001 - Received 07.08.2023
Proposed Plan Elevations and Section DWG No 3992-PR-001 - Received 07.08.2023

REASON: For the avoidance of doubt and in the interests of proper planning.

4 The brickwork for the development hereby permitted shall be constructed to match that of the existing boundary wall in terms of its colour, texture, face bond, size, jointing and pointing.

REASON: In the interests of visual amenity and the character and appearance of the area.

5 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority

(i) Full details of the mortar mix and brickbond

The works shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting listed building consent and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.”