

SCHEDULE A: Applications with Recommendation

20/0525

Item No: 06

Date of Committee: 13/05/2022

Appn Ref No:
20/0525

Applicant:
Mr Miller

Parish:
Burgh-by-Sands

Agent:
Black Box Architects
Limited

Ward:
Dalston & Burgh

Location: Burgh House, Burgh by Sands, Carlisle, CA5 6AN

Proposal: Erection Of Two Storey Side Extension To Provide Living Room On Ground Floor With En-Suite Bedroom Above

Date of Receipt:
04/08/2020 23:00:59

Statutory Expiry Date
29/09/2020 23:00:59

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is refused.

2. Main Issues

- 2.1 Impact Of The Proposal On The Listed Building
- 2.2 Impact Of The Proposal On The Burgh by Sands Conservation Area
- 2.3 Impact Of The Proposal On The Hadrian's Wall World Heritage Site Buffer Zone
- 2.4 Highway Matters
- 2.5 Drainage Matters

3. Application Details

The Site

- 3.1 Burgh House is a Grade II Listed property which lies on the north side of the main street in Burgh by Sands. The property dates from approximately 1769 and is built in rubble stone with cement render to all walls. The building is two-storeys under a slate roof with chimneys set on a broadly rectangular

plan form with pitch front facing gables. Originally one house, Burgh House has been divided into two residential properties. The appearance of the property is typically Georgian with a symmetrical appearance, use of stone corner quoins, timber sash windows with stone surrounds and a stone plinth.

- 3.2 The building lies within the Burgh by Sands Conservation Area, the Hadrian's Wall World Heritage Site Buffer Zone and the Solway Coast AONB.

The Proposal

- 3.3 The application is seeking planning permission for the construction of a two-storey side extension, which would be located on the existing blank side elevation of the dwelling. The layout of the proposed extension utilises a vacant area of yard to the right of the primary elevation as viewed from the main road.
- 3.4 The ground floor would contain a large open plan living area, with windows facing in three directions. This would be accessed via the kitchen through a small opening in the existing side wall of Burgh House. The first floor of the extension would provide an additional master bedroom with dressing area and en-suite bathroom to the rear. This would be accessed via a new corridor formed through the existing rear bedroom. This mirrors the current layout to the opposite side of the main staircase where a corridor serves a bedroom and main bathroom at the other end of the dwelling.
- 3.5 The proposed extension would be set back from the primary elevation to distinguish the addition from the original facade and building mass. To maintain geometry and relate to the existing proportions, the proposed windows to the front would relate to those to the front of Burgh House.
- 3.6 Materials would match the existing, with new windows and doors to be bespoke timber units, walls to be rendered blockwork with stone detailing and roof coverings to match and be tied in with existing where required. Existing drainage would be utilised as part of the development with rainwater/foul water goods being either located internally or to the rear of the proposed extension. There are currently obsolete drainage pipes on this elevation which would be removed.
- 3.7 The application is accompanied by a Heritage Statement. The key points of this are summarised below:
- whilst the works will enlarge the property, the actual impact upon the original built fabric is minimal, albeit the original plan form is altered and the level of harm is low, and is considered to be less than substantial.
 - the works proposed are logical and modest in their scale in terms of provision of an extension and involve a new build addition to the existing building. The new build is to be built in a manner that recognises and provides for a distinct understanding between 'old and new' whilst

respecting key design principles of scale, function, form, mass and material use. The new extension will be subservient in size to the existing. Overall in weighting the less than substantial impact against the benefit of the proposal, its careful design and appearance, the level of harm is therefore modulated to neutral/benign.

- the new proposed extension, whilst having a neutral impact upon the existing building, has the public benefit of adopting a design which will fit seamlessly to the existing, providing a sense of homogeneity that will also abide with local design principles in both Carlisle Local Plan and Burgh by Sands Parish Plan Design Guide.

- the proposals strike a balance between the architectural and historic interest of the structure, its contribution to the significance of the conservation area and its relationship with other adjacent buildings. The proposal would preserve and enhance the character and appearance of the conservation area, not impact the setting of the listed building and the proposed extension will result in a readable, distinct extension with subtle blend to the existing.

4. Summary of Representations

- 4.1 This application has been advertised by means of site and press notices as well as notification letters sent to two neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections;

Burgh-by-Sands Parish Council: - this is a Grade II listed building and a prestigious building in the parish. The extension is to be built in the same style as the original house, however, concern is that the addition of the extension on the side of the house will compromise the look of the building, making it asymmetrical. There is concern that this will put a further strain on an the existing antiquated drainage system.

Further comments: the Parish Council stand by the observations they made originally and make the following observations: The suggestion that it should be a single-story extension would spoil the look of this Grade II listed building and feel that the original application would be a more preferable option. The drainage comment refers to the mains sewerage through the village and not specifically to this application.

Historic England - North West Office: - no objections on heritage grounds subject to conditions;

Solway Coast AONB Unit: - no comments received;

Cumbria County Council - (Archaeological Services): - no objections subject to

conditions.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant planning policies against which the application is required to be assessed are the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and Policies SP6, SP7, HO8, HE1, HE3, HE7, CC5, IP3 and IP6 of the Carlisle District Local Plan 2015-2030. The Supplementary Planning Document the Burgh by Sands Parish Design Statement is also a material consideration.
- 6.3 The proposal raises the following planning issues.
1. Impact Of The Proposal On The Listed Building
- 6.4 Burgh House is a Grade II listed building and the list description is reproduced below:

13/35 Burgh House and Fulwood House with 1/6/57 adjoining former barn Originally one house divided into 2. Dated 1769 with initials W. & E.H. over side entrance. Cement rendered walls on chamfered plinth with raised V-jointed painted quoins; painted moulded cornice, end bays with triangular moulded pediments. Hipped greenslate roof, cement rendered chimney stacks. Fulwood House: 2 storeys, 4 bays, with adjoining 3-bay outbuilding, formerly barn. Burgh House: 5 bays under common roof. Burgh House: 6-panel door and radial fanlight in pilastered surround with moulded impost blocks and moulded round arch. Sash windows with glazing bars in stone architraves. Fulwood House: C19 prostyle Ionic porch to 6-panel door. Windows of same details as Burgh House. Courtyard entrance with quoined surround and dated keystone, unifies house with former barn. Barn has blocked slit vents on 2 levels, replaced by C19 casement windows to form meeting house, now with corrugated asbestos roof.

- 6.5 Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect of listed buildings. The aforementioned section states that:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 6.6 Policy HE3 of the adopted Local Plan seeks to ensure that Listed Buildings and their settings will be preserved and enhanced.
- 6.7 The Council's Heritage Officer has been consulted on the application. He notes that the application site is located within the Burgh by Sands Conservation Area. It occupies the eastern half of the pair of mid C18 houses now known as Burgh House and Fulwood House. Listed in 1957, the polite Georgian gentleman's residence is dated to 1769. The building is of considerable significance and both Burgh House and Fulwood House enjoy a high degree of external and internal preservation.
- 6.8 The Heritage Officer provided advice in relation to applications 18/0851 & 18/0852 (LBC) in March 2019 in relation to the proposed erection of two single-storey orangeries, including ground floor internal alterations and the erection of a detached car port. In this instance concern was expressed over the volume of intervention and loss of fabric arising from a single-storey orangery to the rear, and a similar structure to the east gable. After discussion, the application was reduced to the single storey extension to the rear. While still resulting in some loss of fabric, this was felt to be an acceptable compromise.
- 6.9 The current application is for a two-storey extension to the east. The Heritage Officer considers that the building is a significant Georgian property characterised by the visual harmony of its main facade, bookended by two pedimented gables. The two-storey extension as proposed would interfere substantially with this symmetry and would cause harm to the appearance of the building.
- 6.10 Carlisle Local Plan states in Policy HE3 'Listed Buildings' that *"Listed buildings and their settings will be preserved and enhanced. Any harm to the significance of a listed building will only be justified where the public benefits of the proposal clearly outweighs the harm"*. Proposals for listed buildings must have regard to *"5 the preservation of the physical proportions, character and detailing (both internally and externally) and of any windows and doorways"*.
- 6.11 Paragraph 199 of the NPPF requires 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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". Significance can be harmed or lost through alterations or destruction of the heritage asset. Paragraph 200 indicates that "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification". Paragraph 202 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

- 6.12 Section 66 of the Planning (Listed Buildings and Conservations) Act, 1990, states that *“a local authority shall have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses”*.
- 6.13 The Heritage Officer considers that the extension to the side would constitute less than substantial harm to the fabric of the listed building, not outweighed by public benefit and the application should, therefore, be refused.
- 6.14 The Parish Council has noted that Burgh House is a Grade II listed building and a prestigious building in the parish. The extension is to be built in the same style as the original house, however, the Parish Council is concerned that the addition of the extension on the side of the house would compromise the look of the building, making it asymmetrical.
- 6.15 The current application is for a two-storey extension to the east. The building is a significant Georgian property characterised by the visual harmony of its main facade, bookended by two pedimented gables. The two-storey extension as proposed would interfere substantially with this symmetry and would cause harm to the appearance of the building. In light of the above, the proposal would be contrary to the NPPF (Paras 199 to 202) and Policy HE3 of the Carlisle District Local Plan 2015-2030.

2. Impact On The Proposal On The Burgh by Sands Conservation Area

- 6.16 The application site lies within the Burgh by Sands Conservation Area. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 highlights the statutory duties of Local Planning Authorities whilst exercising of their powers in respect to any buildings or land in a conservation area. The aforementioned section states that:
- “special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area”*.
- 6.17 The aims of the 1990 Act are reiterated in both the NPPF, PPG and policies within the adopted Local Plan. Policy HE7 of the Local Plan advises that proposals should preserve or enhance the special character and appearance of conservation areas.
- 6.18 Case law (South Lakeland District Council v Secretary of State for the Environment (1992)) has established the principle that if development has a neutral impact on a conservation area, in that it made no positive contribution but left it unharmed, it could properly be said to preserve the character and appearance of that area.
- 6.19 Burgh House is a prominent listed building that lies within the conservation area and makes a positive contribution to its character. The proposed two-storey extension would have an adverse impact on the Listed Building and given its prominent location within the conservation area, would have an

adverse impact on the conservation area, contrary to Policy HE7 of the Carlisle District Local Plan 2015-2030.

3. Impact Of The Proposal On The Hadrian's Wall World Heritage Site Buffer Zone

- 6.20 Historic England has been consulted on the application. The proposed development site is in an area of archaeological sensitivity because of its position inside the World Heritage Site Buffer Zone and it is immediately adjacent to the World Heritage Site Property Boundary and legally protected scheduled monument. For these reasons, the proposals need scrutiny of their potential for impacts on both the nationally important designated and non-designated heritage assets.
- 6.21 It would be justified to require the applicant to commission a programme of archaeological works to monitor any excavations associated with the proposed development. Historic England's assessment of the potential impact of the proposal is that it would be sufficiently unlikely to negatively affect nationally important archaeological remains or their settings such that any visibility between the proposed development and the Wall could not be classified as harmful to the Outstanding Universal Value of the World Heritage Site. If planning permission is granted an appropriate level of archaeological monitoring should be secured by an appropriate condition.
- 6.22 In terms of potential setting impacts, the proposed development may have some minor impact on the setting of the designated asset by intruding on views to and from the Wall. However, the proposed extension would be attached to an existing dwelling, be the same height or less than the existing dwelling, be within an existing garden plot, and be amongst a linear stretch of dwelling houses. This means that it would not cause significant harm to the overall setting of Hadrian's Wall as it will still be possible to enjoy the current views that the Wall and Vallum have in this part of Burgh-By-Sands. In short, there would be a negligible change to the current setting of Hadrian's Wall in this location.

4. Highway Matters

- 6.23 The Highways Authority has been consulted on the application. It has no objections to the proposals as it would have no impact on the highway and there would be no reduction in parking provision.

5. Drainage Matters

- 6.24 The Lead Local Flood Authority (LLFA) has been consulted on the application. It has no objections to the proposed as the drainage would connect to the existing. The proposed drainage would require Building Regs approval.

Conclusion

- 6.25 The proposed two-storey extension would cause harm to the Listed Building,

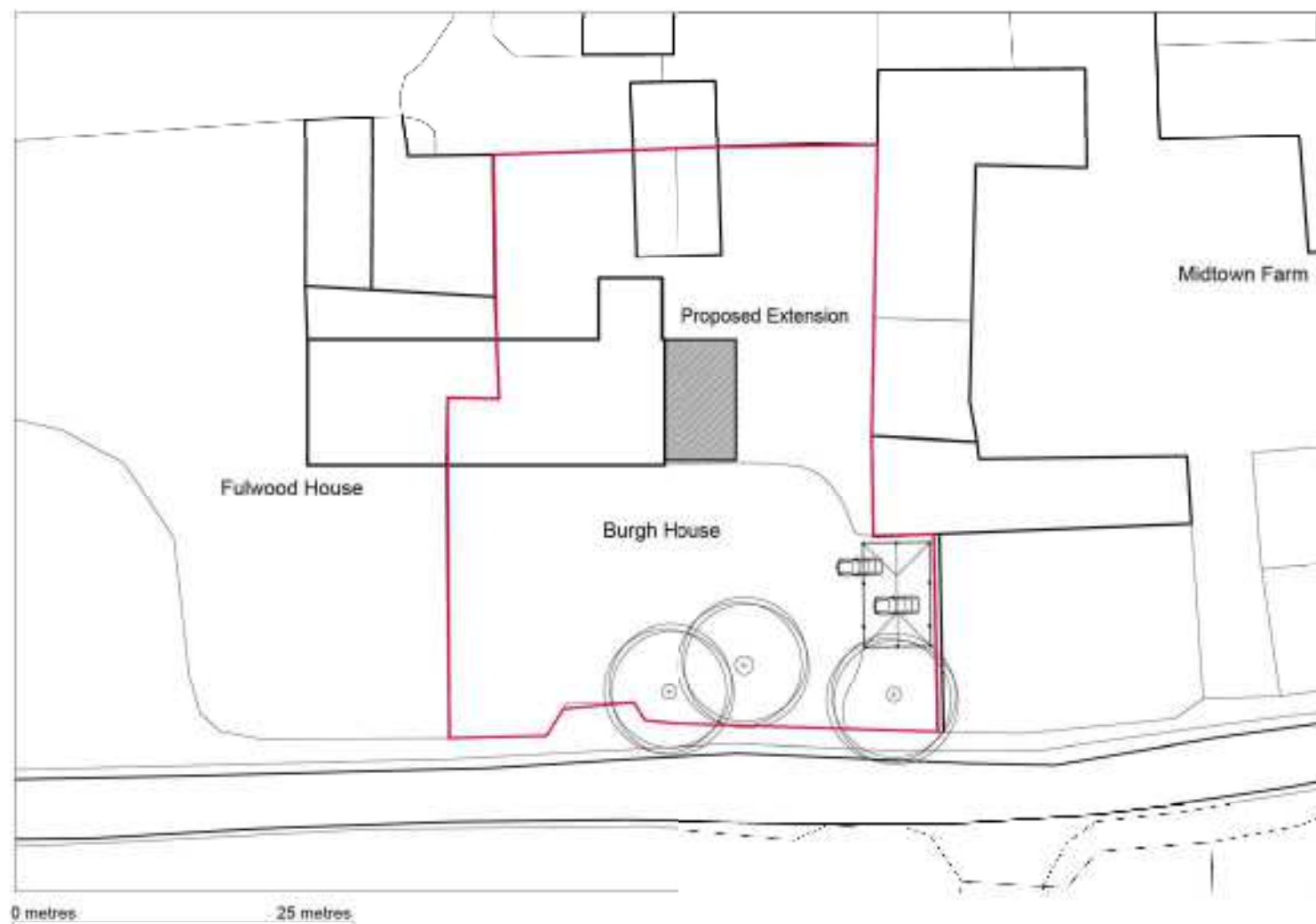
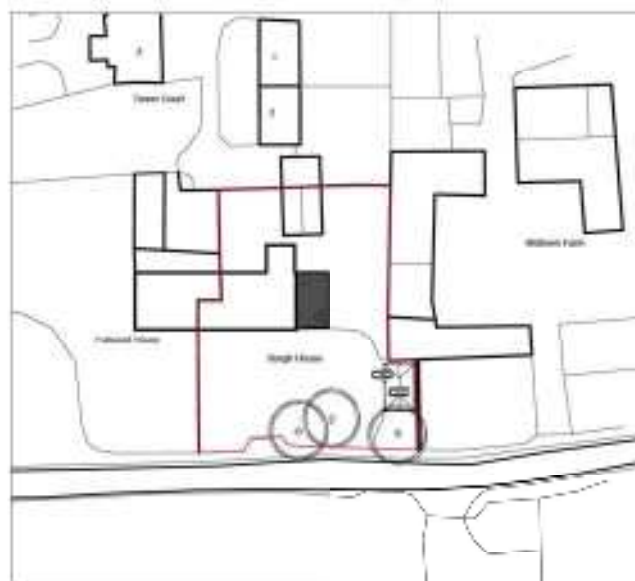
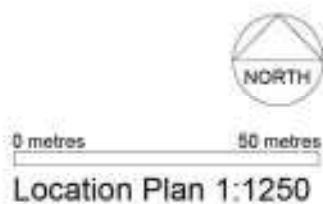
which would not be outweighed by any public benefits and the application is therefore contrary to the NPPF (Paras 199 to 202) and Policy HE3 of the Carlisle District Local Plan. Given the prominent location of Burgh House within the conservation area, the proposal would also have an adverse impact on the conservation area, contrary to Policy HE7 of the Carlisle District Local Plan 2015-2030.

7. Planning History

- 7.1 In September 2019, planning permission and Listed Building Consent were granted for the erection of a single-storey rear extension to form orangery and erection of detached car port (18/0851 and 18/0852).
- 7.2 In August 2009, Listed Building Consent was granted for internal alterations including additional en-suite bathrooms and partial demolition of garden wall (09/0520).
- 7.3 The erection of a single garage was given planning permission in May 1990 with the Listed Building Consent already granted in April 1989.

8. Recommendation: Refuse Permission

- 1. **Reason:** The building is a significant Georgian property characterised by the visual harmony of its main facade, bookended by two pedimented gables. The two-storey extension as proposed would interfere substantially with this symmetry and would cause harm to the appearance of the building. The proposal would, therefore, be contrary to the NPPF (Paras 199 to 202) and Policy HE3 of the Carlisle District Local Plan 2015-2030.
 - 2. **Reason:** Burgh House is a prominent listed building that lies within the conservation area and makes a positive contribution to its character. The proposed two-storey extension would cause harm to the Listed Building and given its prominent location within the conservation area, would have an adverse impact on the conservation area, contrary to the NPPF (Paras 199 to 202) and Policy HE7 of the Carlisle District Local Plan 2015-2030.
-



Block Plan 1:500

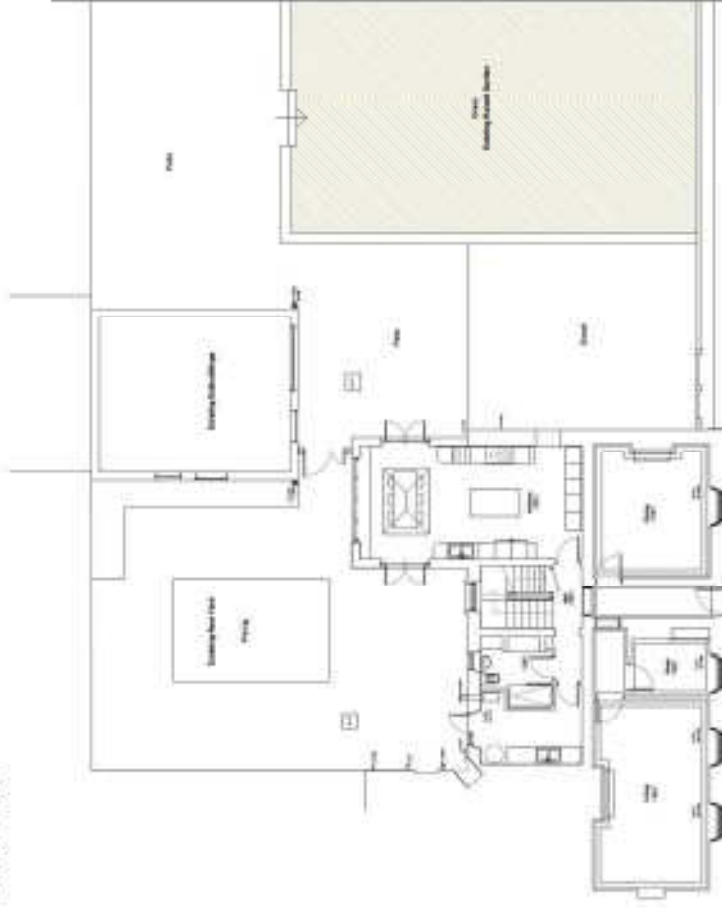
Status

PLANNING ISSUE

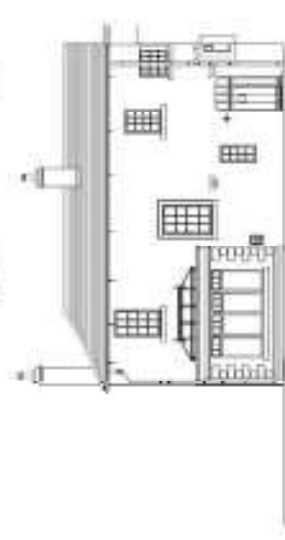
Project	Burgh House				Black Box Architects Limited, 1 Devonshire Chambers 8 Devonshire Street Carlisle, Cumbria, CA3 8AD		
Drawing	Proposed Extension	Revision		Scale	Shown		
Detail	Block/Location Plan	Job no.	18-121-22	Date	July-20		
				Tel: 01228 402 200			

EXISTING

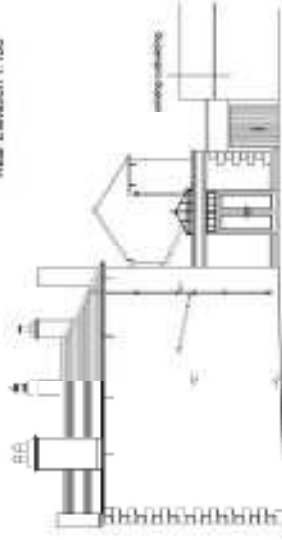
BOX ARCHITECTURE



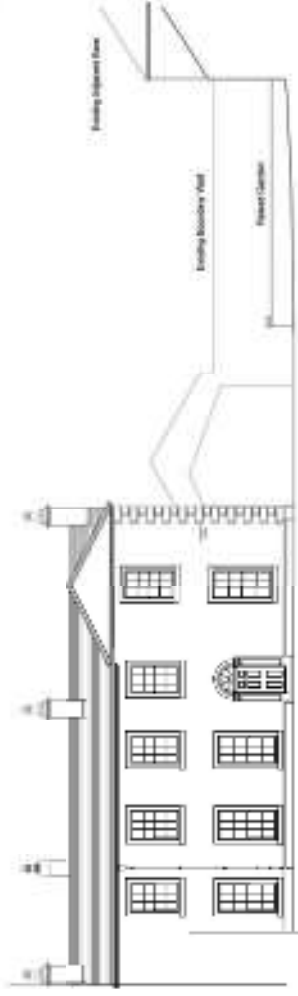
First Floor Plan 1:100



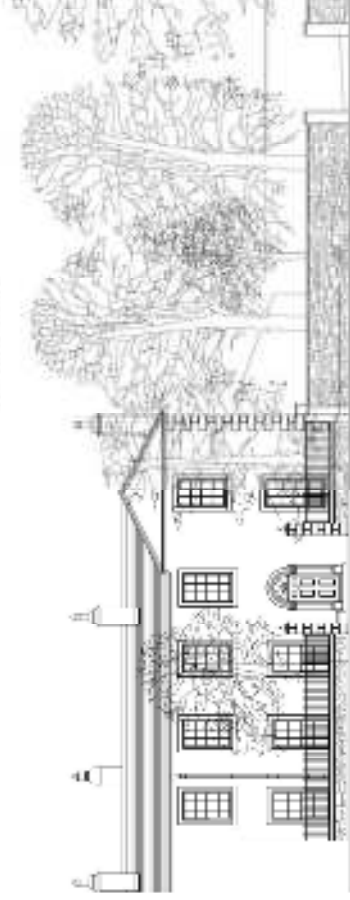
Rear Elevation 1:100



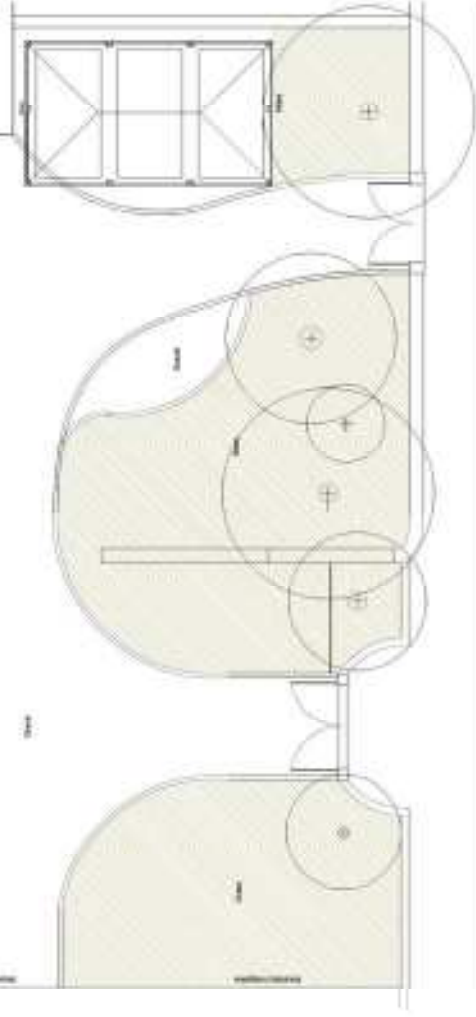
Side Elevation 1:100



Front Elevation 1:100



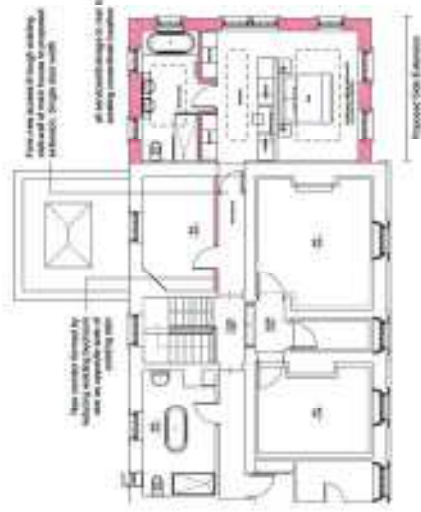
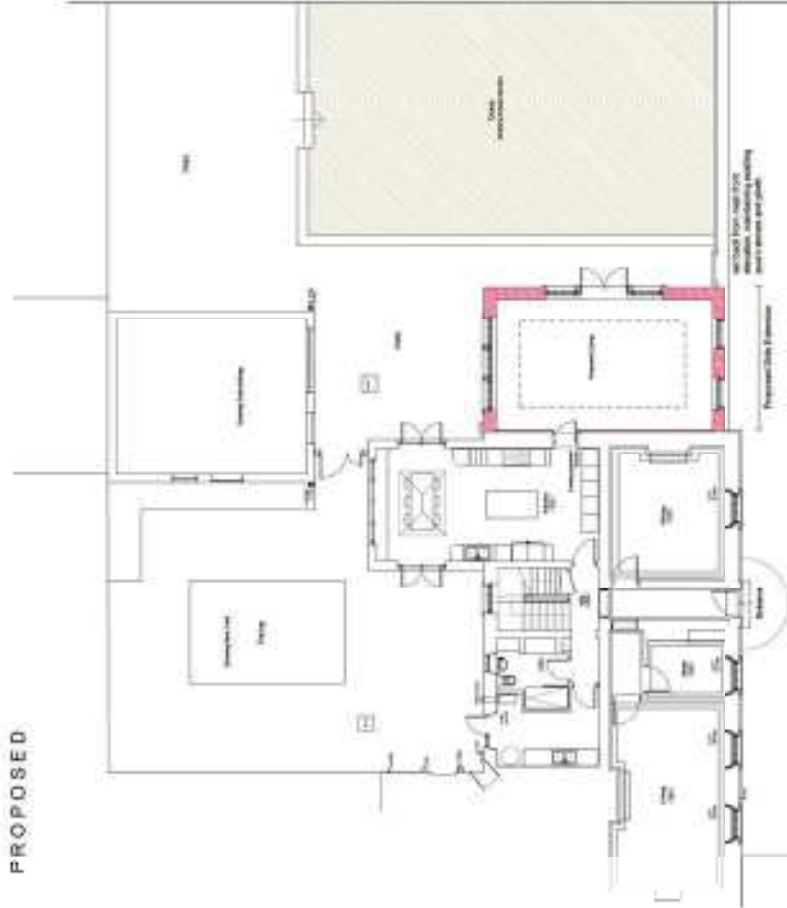
Front Elevation (including front boundary wall) 1:100



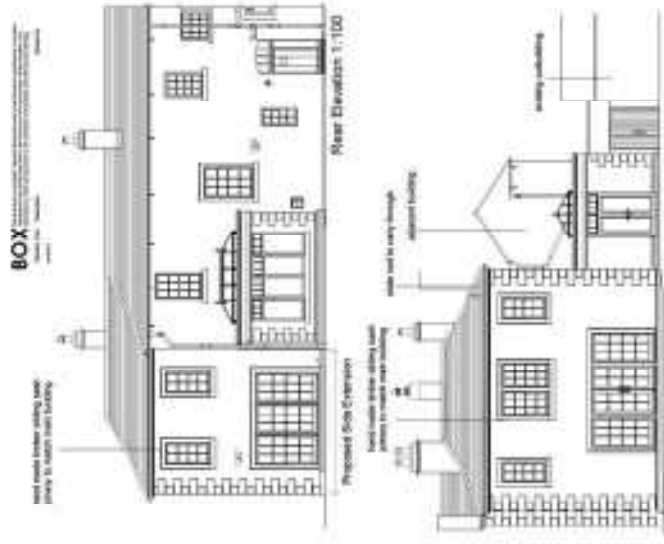
Site/Ground Floor Plan 1:100

PLANNING GUIDE	
Project Name	Black Box
Client Name	Black Box
Project Address	123 Main St, London, UK
Project Date	15-12-20
Project Status	Approved
Project Type	Residential
Project Size	100 sqm
Project Cost	£15,000
Project Lead	15-12-20

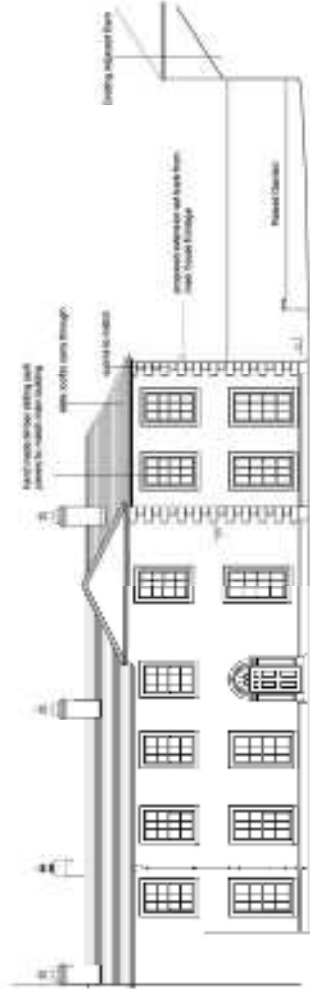
PROPOSED



First Floor Plan 1:100



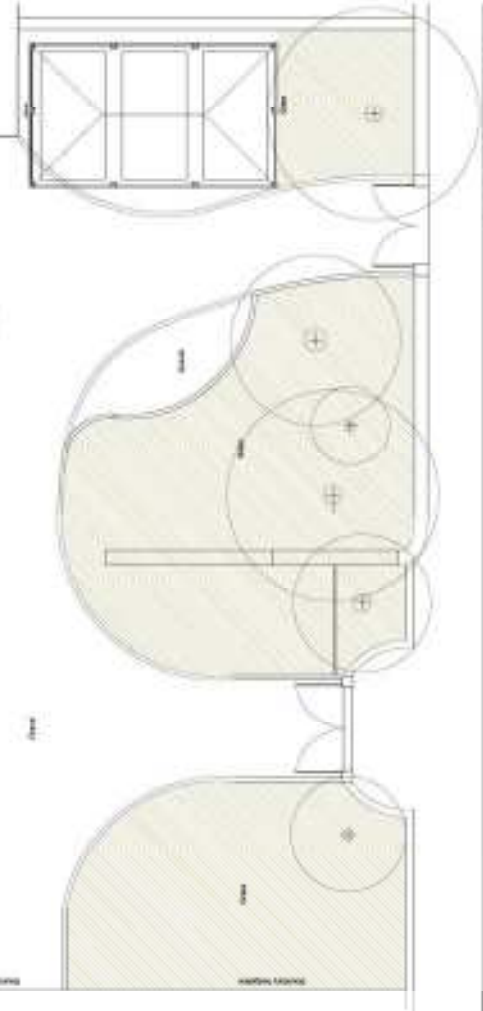
Rear Elevation 1:100



Side Elevation 1:100



Front Elevation 1:100



SiteGround Floor Plan 1:100

PLANNING GUIDE	
Project Name	BLACK BOX
Project Address	123 Main Street, London, UK
Project Type	Commercial Building
Project Status	Proposed
Project Date	15-12-20
Project Author	Architect
Project Reviewer	Architect
Project Approver	Architect
Project Date	15-12-20