



Planning Committee Report

Application Number: 2023/7744/LBC

Location: Rosewood Cottage, Church Green, Badby, NN11 3AS

Development: Listed building consent for removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133).

Applicant: Mr & Mrs G Hind

Agent: JJB Chartered Architects Ltd

Case Officer: Oliver Billing

Ward: Woodford & Weedon Ward

Reason for Referral: Called in by Cllr Rupert Frost on the grounds that the National Planning Policy Framework makes it clear that heritage assets should be conserved in a manner appropriate to their significance and the proposal is not inconsistent with the policies of the development plan.

Committee Date: 03rd April 2024

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT BE GIVEN DELEGATED POWERS TO REFUSE PERMISSION FOR THE DEVELOPMENT.

Proposal

Listed building consent for removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0133).

Consultations

The following consultees have raised **objections** to the application:

- WNC Conservation Officer.

The following national amenity bodies have also raised heritage **concerns** about the application:

- Historic Building & Places, The Society for the Protection of Ancient Buildings and The Georgian Group.

The following consultees have raised **no objections** to the application:

- None

The following consultees are **in support** of the application:

- Badby Parish Council

No letters of objection have been received and 23 letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Impact on the significance of the Listed Building.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons.

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a two storey detached Grade II listed building and is an 18th Century coursed ironstone cottage with a slate roof that features a catslide roof at the rear with three dormer windows. The property has previously been extended to the side and rear. The existing cottage is positioned back from the village green but remains visible from Church Green. The cottage and front gardens are positioned on lower ground level and the rear garden of the property lies on a steep slope
- 1.2 The property is located to the southeastern edge of the village of Badby and is surrounded by residential properties and their associated gardens and driveways to the north and south. The dwelling benefits from a long garden which slopes down to the southeastern boundary which is bordered by several large trees and open countryside. To the northwest is Brookside Lane and the village green, with St Mary's Church further to the west.

2 CONSTRAINTS

- 2.1 Rosewood Cottage is a Grade II listed building and the application site is located within the Badby conservation area. To the west is the Grade II listed building Woodcroft.
- 2.2 Part of the application site is located within the high, medium and low areas for surface water flooding, but this does not cover the area of the proposed development.
- 2.3 Located within the Special Landscape Area.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This application is partnered with a planning application for the same proposal (2024/7743/FULL). The two applications are a resubmission of WND/2023/0132 and WND/2023/0133 which proposed the same development but were withdrawn before determination.
- 3.2 The application seeks Listed Building Consent for the removal of the existing rear catslide roof and dormers and the construction of a rear two-storey and first-floor extension. The extension comprises three two-storey gables across the rear elevation that are perpendicular to the main roof and with ridges at a lower level than the original dwelling. New windows are proposed on the upper floor with a set of patio door doors on the ground floor of the two-storey part.
- 3.3 The extension is proposed to be constructed with coursed ironstone elevations, a slate roof and timber painted windows and doors to match the existing dwelling.
- 3.4 The window that serves the existing kitchen on the ground floor front elevation is proposed to be removed with the opening reduced in size, with a stonework infill and a new timber window.
- 3.5 A wall mounted lean-to door canopy is proposed on the north-east side elevation which would be supported off oak gallows brackets.
- 3.6 The internal alterations to the dwelling comprise:
 - Repositioning of the kitchen within the existing sitting room area.
 - Insertion of a shower room with WC and separate utility into the existing kitchen.
 - Creation of bedroom 4 at ground floor level within the two-storey element with level access to the new shower room and WC.
 - New door openings formed in the wall between the proposed utility and kitchen, and between the dining room and proposed ground floor bedroom (involving the removal of the existing window).
 - Creation of an additional first floor bedroom in the two-storey element.
 - Conversion of the existing first floor bedroom three into a home office with new corridor to the new first floor bedroom.
 - Enlargement to existing bedroom one.
 - Airing cupboard and cylinder removed from the first floor landing.
 - Ceiling reinstated in the front first floor bedroom following the removal of the dormer.

3.7 Further details of the proposal are illustrated on the submitted drawings.

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

- **DA/1987/0281** – Extensions and alterations (approval).
- **DA/1987/0638/LB** - Extensions and alterations (approval).
- **DA/2001/0720** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2001/0777/LB** - Conservatory to rear of dwelling (refused – appeal dismissed).
- **DA/2019/0540** – Two storey side and single storey rear extension (refused)
- **DA/2019/0541** – Listed Building Consent for two storey side and single storey rear extension (refused)
- **WND/2023/0132** - Removal of existing catslide roof and dormers. Construction of two storey and first floor extensions (withdrawn).
- **WND/2023/0133** - Listed building consent for removal of existing cat slide rood and dormers, construction of two storey and first floor extension (withdrawn).
- **2023/7744/FULL** - Removal of the existing modern catslide roof & dormers, construction of a rear two-storey and first floor rear extension (Re-submission of WND/2023/0132) (decision pending).

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to 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.

5.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects a listed building or its setting to 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.

5.4 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

5.5 Development Plan

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (December 2014) (WNJCS)

- SA – Presumption in Favour of Sustainable Development
- BN5 – The Historic Environment and Landscape

Settlements and Countryside Local Plan (Part 2) For Daventry District (February 2020) (LPP2)

- Objective 14 - Heritage
- SP1 – Daventry District Spatial Strategy
- ENV7 – Historic Environment
- ENV10 – Design

Badby Parish Neighbourhood Plan 2018-2029 (NDP) (January 2019)

- B3 – Heritage

5.6 Material Considerations

Below is a list of the relevant Material Planning Considerations:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- Badby Conservation Area Appraisal and Management Plan (March 2021)
- Historic England Guidance

6 **RESPONSE TO CONSULTATION**

6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Badby Parish Council	Support	Support the application by highlighting that the proposals allow the residents to adapt the property to suit their needs, whilst respecting the historic character and appearance of the cottage and its setting. No changes to the front and the cottage is not overlooked at the rear. The proposed rear elevation is an improvement over the existing one and the proposed development is in keeping with the local architectural style. The applicants have addressed the reason for refusing permission for previous proposals
WNC Conservation Officer	Object	Objection to the proposed construction of the two-storey and first-floor extensions and the conservation officer has identified less than substantial harm to the significance of Rosewood Cottage (see appraisal section below for further details).
Historic Buildings and Places	Comments	No comment on the rebuilding of the roof line to the existing extension. Concerns were raised with the additional massing and the further enclosure of the original cottage by extending across its entire rear elevation resulting in a cumulative addition that is dominating and overwhelming. The proposal would also obscure the legibility of the original modest form and size of the cottage, which would be demoted to a minor proportion of the overall floor space proposed. This harms its special architectural and historic interest. Recommended the submission of amended plans/additional information to clarify/justify these concerns.

The Gardens Trust	Comments	Do not wish to comment on the proposals and it was outlined this does not in any way signify either approval or disapproval of the proposals by The Gardens Trust.
The Society for the Protection of Ancient Buildings	Comments	No objection in principle to the partial removal of the previous extension. However, concerns were raised that the scale and mass of the proposed extensions will overpower the original cottage, generating a high level of harm to its significance and there is no justification for this harm. Recommend withdrawal with a more sympathetic proposal developed, or the application be refused.
The Georgian Group	Comments	Concerns were raised that the proposal would cause further harm to the listed building, due to its size and design, and through the loss of the remaining visible section of the original rear elevation. The legibility of the cottage as a modest early eighteenth-century vernacular structure would be lost due to the combined impact of the 1980s and proposed additions. Not demonstrated that the proposal is necessary to either maintain the viable use of the listed building or secure its long-term preservation and justification for the harm is not provided. Recommended the application be refused.

7 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 23 letters of support have been received raising the following comments:

- Improvement and preservation of the existing building.
- No harm to the character of the property or its listing. Sympathetic development proposal.
- Existing footprint of the Old Cottage remains the same.
- No visual impact on the area/in keeping with the area and surrounding dwellings.
- No change to the front elevation.
- No impact to/in keeping with the conservation area.
- No impact on neighbouring amenity.
- Little/no impact on traffic.
- Improved family home/living area for current and future generations/meet the occupier's needs.

8 APPRAISAL

Impact on the significance of the listed building

8.1 The relevant policies are Policy BN5 of the WNJCS, Policies SP1, ENV7 and ENV10 of the LPP2, and Policy B3 of the NDP. Regard has also been had to Chapters 12 and 16 of the NPPF and the Badby CAAMP.

8.2 Policy BN5 requires development proposals to sustain and enhance the heritage and landscape features that contribute to the character of the area by demonstrating an

appreciation and understanding of the impact of development and seeking to minimise harm to those assets. This advice is echoed in Policy ENV7, which states that, in decision making, great weight should be given to the conservation of heritage assets irrespective of the level of harm. The more important the asset, the greater the weight will be. Any harm to a designated heritage asset requires clear and convincing justification. Proposals that lead to harm to a designated heritage asset will be judged against the tests in the NPPF. These policies are consistent with the guidance in paragraphs 203, 205, 206, 207 and 208 of Chapter 16 of the NPPF.

- 8.3 Policy SP1 G) directs that development should protect and enhance the built and natural environment and the District's heritage assets, whilst Objective 14 of the LPP2 sets out '*To conserve and where possible enhance, through carefully managed change, heritage assets and their settings, and to recognise their role in providing a sense of place and local distinctiveness*'.
- 8.4 Policy ENV7 states that the Council will seek to sustain and enhance the historic environment by supporting high quality proposals which respond positively to their context by reinforcing local distinctiveness including street pattern, siting, form, scale, mass, use, materials and architectural features. Policy ENV10 similarly requires development to be of a high quality and design that reflects and integrates with the surrounding area and creates a strong sense of place. These policies are consistent with the advice in paragraphs 135 and 139 of Chapter 12 of the NPPF.
- 8.5 In line with the comments from the conservation officer, there is no objection to the proposed width of the front ground floor window, which would be a minor positive change, nor with the lean-to canopy on the north-east elevation which would not be prominent given the position of the building set back from the street. There is also no objection to the proposed materials as these would match the existing dwelling. Material samples would need to be conditioned in any case and therefore these could be reviewed prior to development.
- 8.6 However, concerns have been raised with the size, scale, form, massing and appearance of the extension and the impact that this would have on the host listed building with an objection raised by the conservation officer to this part of the proposal.
- 8.7 Rosewood Cottage was listed as an example of a vernacular cottage with a simple, modest 2-unit plan and its significance is informed, in large part, by the fact that it can still be read and appreciated as a modest early C18 cottage. It is noted that the large previous extension detracts from its significance, and the existing catslide roof and three dormers on the rear elevations are incongruous additions to the cottage that dominate the rear elevation. Any further alterations to the property should seek to remove the oversized dormers and address the awkward catslide roof. However, with regard to the current proposal, the benefit of removing these features would not outweigh the harmful impact of the proposed development.
- 8.8 Extensions to listed buildings should be subservient in scale and respectful of the plan form of the host building, both from a physical and a visual perspective. Given the extent of change that this listed building has already experienced there is limited potential for further extension without causing cumulative harm to the inherent special interest of the listed building.
- 8.9 The proposal would extend across the whole of the rear elevation (acknowledging that the extension would be slightly set in from the western gable) resulting in only a very small section of the original rear elevation remaining visible. The extension

would not be subservient to the original building and would comprise approximately an increase of one-third in the overall volume of the building. Furthermore, the proposal would complicate the form of the existing dwelling by introducing three full-height gables resulting in development that is of an excessive scale and that would overwhelm the original listed building.

- 8.10 The height of the extension (including the eaves height which would be higher than the existing eaves) and the positioning and size of the openings within it, would all be out of scale with the architectural detailing of the existing building. The combined effect of the scale, massing and design of the proposed extension and the other extensions already undertaken to the property would mean that, at the side and rear, the legibility of the listed building as a modest 18th century cottage would be lost. This is contrary to the principles of good design in sensitive historic contexts.
- 8.11 The conservation officer has raised concerns that differences in floor to ceiling heights between the original cottage and the extensions could adversely affect the character and significance of the internal spaces. The existing and proposed section drawings that accompany the application do not show the same parts of the building, which prevents a straightforward comparison. The applicant's Design & Access Statement notes that the proposed finished ground floor to ceiling height equates to 2.245 metres, and the first floor ceiling heights would range from 1.68 to 2.3 metres. The conventionally higher ceiling heights in the extension would represent a marked contrast to the traditional lower ceilings in the historic building and would contribute to the harmful effect of the development.
- 8.12 It is acknowledged that being on the rear elevation, the proposed extensions would have less impact on the significance of the listed building and the character and appearance of the conservation area than if they were on the front or side elevation. The impact on the conservation area has been assessed within the partner planning application, however, the proposal would not directly impact important views that have been identified in the Badby CAAMP and it is not considered to have an adverse impact on the wider area. It is also considered not to have a material impact upon the setting of the adjacent listed building, Woodcroft.
- 8.13 However, the conservation officer has identified that there would be considerable harm caused to the significance of Rosewood Cottage. Historic Buildings & Places, The Society for the Protection of Ancient Buildings and The Georgian Group, who are statutory consultees on certain heritage applications, have all raised similar concerns regarding the size and mass of the proposed extension and its dominating and overwhelming impact upon the form and size of the original cottage, and do not support the application.
- 8.14 Paragraph 206 of the NPPF requires that any harm to the significance of a designated heritage asset should require clear and convincing justification. In this case the harm caused falls at the higher end of less than substantial harm in NPPF terms. In accordance with Policy ENV7 and therefore Paragraph 208 of the NPPF *'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.'* The Planning Practice Guidance defines that public benefits *'should be of a nature or scale to be of benefit to the public at large and not just be a private benefit'*.
- 8.15 In this case, there would be no public benefit as the proposed extension would provide significant additional living accommodation for the current occupiers which

would be a personal benefit to them and the development is not considered necessary to maintain the viable use of the listed building or secure its long-term preservation. Therefore in accordance with paragraphs 206 and 208 of the NPPF, there is no clear justification or reason that would demonstrably outweigh the identified harm to the significance of the listed building.

9 FINANCIAL CONSIDERATIONS

- 9.1 Refer to the officer report for the accompanying planning application reference 2023/7743/FULL.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would result in less than substantial harm to the significance of the Grade II listed Rosewood Cottage. This less than substantial harm has been weighed against the public benefits of the proposal, which there are none, and there is considered to be no justification or reasons that would outweigh this harm. The proposed development is therefore contrary to Policies BN5 of the WNJCS, Objective 14 and Policies SP1 (G), ENV7 and ENV10 (A iii) of the LPP2 and it does not meet the relevant tests within the NPPF.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 It is recommended that the application be REFUSED for the following reasons as set out below with delegated authority to the Assistant Director for Planning and Development.

REASON FOR REFUSAL

The proposed extension by reason of its size, scale, form, massing and appearance would cause considerable harm to the significance of the Grade II listed Rosewood Cottage. Great weight must be given to the significance of a designated heritage asset in decision making and any harm requires clear and convincing justification. In this case, the proposed development would deliver no public benefits and the extension is not required to secure the future of the listed building or its viable use. Therefore, there is no overriding justification for the proposed extension that would outweigh the less than substantial harm to the significance of the designated heritage asset. For these reasons, the proposed development is contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (2014), Policies SP1 G, ENV7 and ENV10 A iii of the Settlements and Countryside Local Plan (Part 2) For Daventry District (2020) and Chapters 12 and 16 of the National Planning Policy Framework (2023).