

REFERENCE: 10/00507/FUL

SITE: 21 St Stephens Road

PROPOSAL: Two storey and single storey extensions

RECOMMENDATION: Refuse

Members have already received further representations on behalf the applicant in the form of letters from mm3 design (1st June), from Christina Cherry (10th June) (circulated 16th June).

Attached to this update are further letters from mm3 Design (22nd June) and Christina Cherry (20th June).

The Conservation Officer has provided the following response:

We are in agreement with the applicant's analysis of this site that this property is a late 19th century detached Villa (i.e. a heritage asset), which is located within the Central Conservation Area (also a heritage asset) and it has been identified as a positive building within the Tivoli Character Area. It is also accepted that the proposed rear extension will have little visual impact on the street.

A number of Planning Policies apply to the determination of this application for planning permission for a rear two storey extension. These are Local Plan Policies - CP3, CP7 and the Supplementary Planning Document (Residential Alterations and Extensions - adopted Feb 2008), and the recently published Government Policy PPS5. However the application of these policies is relevant, irrespective of whether an extension is proposed at the rear or at the front of a building. These policies simply consider the merits of good design and how good design can be achieved, and how the proposals impact on any heritage assets.

Whilst the exact age of the existing rear extension is not known, it seems that we are in agreement that this existing rear extension did not form part of the original 19th century design of the house. Nevertheless this extension is there and its existence must be accommodated in design terms. The new proposed rear extension does not respect the existing architectural integrity of the rear of the house; in particular the proposal causes harm to the appearance of the rear elevation by creating two visually discordant flat roofed extensions, thereby masking much of the eaves in rear perspective views.

In terms of PPS5, policy clause HE9.5 is applicable. This clause confirms that policies HE9.1 to HE9.4 apply to those elements of a conservation area which do contribute to its significance. As this house has been identified as a positive building, it therefore follows that it also contributes to the significance of the conservation area. In the Council's opinion the significance of this building is in its form and mass (i.e. arrangement, volume and shape of the building). The proposed rear extension will cause substantial harm to the significance of this historic Villa, by detrimentally altering its architectural form and integrity. Policy HE9.2 states that the local planning authority should refuse consent where the application will lead to substantial harm unless it can be demonstrated that -

- A) the substantial harm is necessary in order to deliver substantial public benefits that outweigh that harm*
- B) the nature of the heritage asset prevents all reasonable uses of the site and no viable use of the heritage asset can be found in the medium term that will enable its conservation and*
- C) conservation through grant-funding or some form of charitable or public ownership is not possible*
- D) the harm to the heritage asset is outweighed by the benefits of bringing the site back into use.*

The council do not believe that harm caused to the heritage assets (i.e. either to the 19th century Villa or to the conservation area) by this proposed rear extension can be justified by the 4 exception clauses as outlined above. Consequentially I recommend that this application is refused.

Members saw on view that the proposals fall into two distinct parts. Officers are content with the side extension to replace the garage but the deficiencies of the rear extension lead to this recommendation for refusal of the whole scheme. The application cannot be part-approved and part-refused.

The applicant relies to a great extent on the fact that little of the rear extension is visible from the road but officers consider that buildings should be considered in the round and not as facades behind which unsympathetic and poorly-conceived alterations can take place.

Members' attention is drawn to paragraph 6.c.viii on Page 23, which concisely sets out the position regarding the rear extension.