

Reference:	<ol style="list-style-type: none"> 16/00744/FUL 16/00745/LBC
Ward:	Leigh
Proposal:	<ol style="list-style-type: none"> Demolish existing single storey studio and erect single storey extension to west side, associated alterations to the western end of the listed building including change of fenestration to the south elevation and associated piling works Demolish existing single storey studio and erect single storey extension to west side, associated alterations to the western end of the listed building including change of fenestration to the south elevation and associated piling works. (Listed Building Consent)
Address:	Herschell House, 87 Leigh Hill, Leigh-on-Sea, Essex
Applicant:	Mr Graeme Newton
Agent:	SKArchitects
Consultation Expiry:	12 th July 2016
Expiry Date:	2 nd August 2016
Case Officer:	Abbie Greenwood
Plan No's:	<ol style="list-style-type: none"> PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan
Recommendation:	<ol style="list-style-type: none"> GRANT PLANNING PERMISSION GRANT LISTED BUILDING CONSENT



1 The Proposal

- 1.1 The proposal seeks planning permission and listed building consent to demolish the existing single storey studio and erect a single storey extension in the same location to the west side of the dwelling. The works also involve associated alterations to the existing listed building at the junction of the extension, including the opening up of an archway between the existing service wing and the new development, change to the southern fenestration of the existing two storey service wing and the creation of a new doorway at ground floor between the existing service wing and the original building.
- 1.2 Since the submission of the application, the existing studio, which was in a poor state of repair, has collapsed.
- 1.3 The proposal includes the installation of piling works to the foundations of the new build and also in front of the existing property. These are required to stabilise the ground in this location which forms part of Leigh Cliffs.

2 Site and Surroundings

- 2.1 Herschell House is an early C19 timber framed weather boarded house which has been extended to the northern and western sides in the late C19 and early C20 centuries. The most significant part of the property is the original timber framed house which faces the garden to the south and is hidden from the street. The house is grade II listed and within Leigh Conservation Area.
- 2.2 The former studio, a small detached corrugated metal building which appears to date from the late C20 century, was located to the west side of the main dwelling. It connected to the former service wing, a two storey brick addition with a parapet roof and simple sash windows, itself a later addition, via a single storey link. The upper section of the service wing can be seen from the adjacent church yard. The ridge of the former studio was also visible from the churchyard but at a lower height than the service wing such that it enabled public views of the estuary over the top of the roof.
- 2.3 The property lies at the northern end of Leigh Hill just south of St Clements Church. The north and east elevations are visible from the street and from the adjacent graveyard. It is one of a number of listed buildings in the vicinity and is part of the historic streetscene in Leigh Hill, a key street within Leigh Conservation Area.

3 Planning Considerations

- 3.1 The considerations in relation to this application are the principle of the development, the impact on the character and significance of the listed building, the impact on the wider conservation area including the setting of the listed St Clements Church, the impact on the existing trees and the impact on neighbours. It is not considered that there are any highways implications for this proposal.

4 Appraisal

Principle of Development

The National Planning Policy Framework (NPPF) 2012, Core Strategy Policies KP2 and CP4, Development Management Policy DM1, DM5 and DM14 and the Design and Townscape Guide 2009 (SPD1).

- 4.1 The NPPF and local planning policies support alterations and extensions to listed buildings and in conservation areas where they do not have a harmful effect on the special historic character and significance of the listed building or the wider conservation area including the setting of other listed buildings in the vicinity or on the amenity of neighbours. The proposal is therefore acceptable in principle subject to demonstrating that the changes and additions are compatible with the listed building, the wider conservation area and the amenities of the surrounding properties.

Impact on the Character and Significance of the Listed Building and the wider Conservation Area

The National Planning Policy Framework (NPPF) 2012, Core Strategy Policies KP2 and CP4, Development Management Policy DM1, DM5 and DM14 and the Design and Townscape Guide 2009 (SPD1).

- 4.2 The National Planning Policy Framework (NPPF) states that in determining planning applications, local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets (paragraph 131). As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (paragraph 132). Paragraph 132 identifies that significance can be harmed or lost through development with an asset's setting. Paragraph 134 details 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 benefit. Planning authorities should look for opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that best preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favorably (paragraph 139).
- 4.3 Policy CP4 of the Core Strategy seeks high quality sustainable development which safeguards and enhances the historic environment including listed buildings and conservation areas.
- 4.4 Policy DM1 of the Development Management advocates the need for the Council to support proposals that respect and enhance the character of the site, have appropriate detailing, protect the amenity of the area and contribute positively to the space between buildings and Policy DM5 of the Development Management states that no development proposals should lead to the substantial harm of a heritage asset.
- 4.5 The original property dates from the early C19 and has been extended a number of times throughout the intervening period. The oldest and most significant part of the dwelling is the original timber framed house on the south side which has a weatherboard frontage overlooking the garden and estuary beyond. The brick built additions facing the road, the bay windows and the ancillary buildings were added

in the late C19 and early C20. The additions also include two early C20 corrugated metal studios in the grounds of the property. One to the west of the house, which is subject of this application, and one in the garden near the south boundary which is not affected by this application. The Historic England list description for this property specifically mentions that *'it is the original weather boarded house, now the garden front that is the feature of interest'* and this has been recently reiterated in correspondence with Historic England.

- 4.6 The property has recently changed hands and the new owner has undertaken various repair works to the property (ref 15/01784/LBC and 15/01783/FUL). These works have secured the future of the listed building which was suffering from dry rot and structural failure. He is now seeking to complement the regeneration works to the listed building by replacing the former studio on the west side with a modest modern extension to house a new kitchen and family room.

Demolition of the Studio

- 4.7 As noted above the former studio, has collapsed and is therefore no longer in existence. The applicants structural report submitted with the application identified the building as being in a poor condition and this was confirmed on the site visit undertaken before the collapse. This building is not mentioned in the list description for the building and in recent correspondence with Historic England during the pre-application discussions, they commented that *'the two storey brick service wing and the studio do not contribute to the listed building's significance and we would therefore have no objections to their demolition.'* Therefore, whilst the sequence of events is regrettable, the principle of demolition of the studio is accepted.

Piling

- 4.8 In relation to land stability DM14 states that *'All development proposals in the vicinity of the cliff frontages shall take full account of the risk of ground instability. Development that is at risk from land instability or that is likely to increase risk to a site or to the surrounding areas will be not acceptable. Proposals will only be considered where:*

(i) It has been demonstrated to the satisfaction of the Council that the development of unstable or potentially unstable land will be constructed and used safely without increasing instability of the site and surrounding land; and
(ii) It can be demonstrated that mitigation measures to stabilise land are environmentally acceptable and will not adversely impact upon neighbouring uses or sites.'

- 4.9 A piling plan and method statement/risk assessment was submitted with the application which shows a row of contiguous piles running in front of the existing house, wrapping around the west elevation of the existing service wing and along the northern boundary behind the site of the proposed extension. The plan also shows a series of individual piles forming the base of the extension. The piles are proposed to secure the land which forms part of Leigh Cliffs. They are set a short distance from the listed building and will be concealed underground. They will therefore have no impact on the fabric or setting of the building. The Council's Structural Engineer confirms that the gradients of the land surface in this area appear to be fairly small in the context of the cliff generally and the submitted piling layout and details satisfactory in this context. The proposed piling is therefore

considered to be acceptable

Design of Proposed Extension and Alterations to the Existing Listed Building

- 4.10 The proposal has undergone a number of different designs and forms as part of the pre application process. The initial proposal was for a much taller and wider box-like addition which also included the demolition of the brick service wing and a large area of hardstanding. Concerns were raised by officers and by Historic England not in respect of the principle of demolition, but regarding the impact of the scale and form of the proposal on the character and significance of the existing listed building and on the impact on the conservation area and in particular the view from St Clements Churchyard to the north, itself the setting of a listed building, the church. In response to this the applicant fundamentally changed the proposal to the current design which seeks to utilise almost the same scale and form as the former studio the only change being the inclusion of the short linking section within the main body of the extension. This therefore preserves the scale relationship with the existing listed building and retains the same impact and open views from the churchyard behind. It is also pleasing to see that the initial proposal to include an area of vehicular hardstanding within the rear garden has been omitted from the scheme and this was objected to by both officers and Historic England. In principle therefore, the scale and form of the development is now considered to be acceptable.
- 4.11 The detailed design of the proposal can be split into two elements. The extension itself and the alterations to the existing service wing and main part of the listed building. In relation to the new build element, not only has the architect sought to recreate the form of the previous studio building but the detailing of the proposal, with its gabled roof and corrugated cladding is also seeking a reinterpretation of the original character of the studio. This means that, as with the studio before it, the extension will not compete with the historic character of the existing property but appear subservient to it in both its form and detailed design. The most significant change from the previous situation will be the change in colour from dark green and cream to black and the more modern fenestration which includes a series of full height sliding doors and flush rooflights to the south elevation which will give the proposal a more transparent appearance. The architect considers that the previous colour scheme was unsuited to the updated design and would appear out of place in this context. A change to a neutral colour (black), which should help to hide the extension within the surrounding tree canopy enabling the historic building to stand out as the principle element of the frontage is therefore proposed and it is considered that this should work well in this context. The product chosen has been used on award winning architecture and is known to be high quality. The product details for the windows and rooflights and other more incidental items have also been provided and this gives the Council comfort that each of the elements of the elevation has been carefully considered and are of a high quality.
- 4.12 In relation to the extension Historic England comments that *'The materials, form and massing of the proposed extension are akin to the existing studio, which the application proposes to replace, and the proposed extension would therefore not cause substantial harm to the significance of Herschell House, which is listed at grade II.'* This element of the proposal is therefore considered to be an acceptable addition to the listed building.

- 4.13 The proposal also includes some alterations to the existing service wing and the creation of a new internal door opening into the to the timber framed element of the listed building.
- 4.14 The most significant changes are to the two storey brick parapetted service wing which linked the original timber framed building to the former studio. This element was added in Edwardian times and therefore, although not a new addition to the building, has limited significance. Indeed Historic England did not raise an objection to its demolition during the pre app process. The Council, however, is pleased to see this section retained as it presents an attractive and appropriately scaled brick frontage to the churchyard and helps to break up the massing of the proposal into two elements which is considered to be a fundamental improvement over the initial pre app proposal.
- 4.15 The proposed changes to the service wing include the change to a fully glazed south elevation and the opening up of the wall at ground floor to create an open plan arrangement to the new extension. These changes will only impact on the south elevation and all public views of this element will remain unchanged.
- 4.16 The change to the southern frontage will have the most impact but this will have the effect of creating a lightweight glazed element between the most significant section of the listed building and the new extension which will act as a buffer between old and new. The construction details for this element shows it to be well detailed with good quality glazing and it is considered that this should provide an effective transition between the most significant part of the listed building and the new extension. Internally the open plan arrangement to the southern section of the service wing will enable a more useable family space to be created away from the most sensitive part of the listed building. The only impact on the timber framed section is the creation of a new internal opening between the service wing and the west sitting room, however, the recent renovation works in this area revealed that there used to be a window in this location which was blocked up at some point in the past. This therefore provides some logic to an opening being created in this location albeit slightly taller than the original.
- 4.17 The architect has included a number of specific design details with the application which show how the old and new will be integrated and key elements of design detailing. This provides reassurance that the design has been well considered from the outset and will not require amendments.
- 4.18 In relation to the overall proposal Historic England comments that *'the proposed demolition, alterations and extension to the west gable of Herschell House, a dwelling listed at grade II, would not cause substantial harm to the significance of the grade II listed house. We do not wish to raise any objections to these proposals'*
- 4.19 It is therefore considered that the proposed form, massing, design and materials of the proposed extension would not cause substantial harm to the significance of the grade II listed Herschell House or the wider conservation area as set out in paragraph 132 of the NPPF and the design of the proposal is therefore considered to be acceptable.

Impact on Existing Trees

- 4.20 There are a number of trees on the site including some large trees to the south west of the proposed extension which frame views of the estuary from the adjacent churchyard. The trees on site are not covered by Tree Preservation Orders however they are protected by being located within the boundary of the conservation area.
- 4.21 The applicant has submitted an arboricultural impact assessment with the application. This recommends that a small suppressed whitebeam tree, a dying willow and a eucalyptus tree which is competing with the oak be removed. The other trees, including those which have the most public amenity value are to be retained. The trees to be felled do not have significant amenity value for the surrounding conservation area and there is no objection to their removal. The Councils Arboricultural officer confirms he has no objections to the proposed removals and suggests that it would be prudent to protect the other trees on site during the development process. The applicant's arboricultural report sets out how the trees should be protected and this is considered to be acceptable.

Impact on Neighbours

The National Planning Policy Framework (NPPF) 2012, Core Strategy Policies KP2 and CP4, Development Management Policy DM1 and DM5 and the Design and Townscape Guide 2009 (SPD1).

- 4.22 The proposed extension is set some distance (approx. 18m) from the nearest neighbour, The Old School House to the west, and replaces an existing building of a similar scale. There are no new windows on the west elevation facing the Old School House. There are larger window openings in the south elevation but the nearest neighbours to the south are in Leigh Hill Close and are approximately 50m away. There will be no impact on the neighbour to the east as the extension is only on the west side of the existing property. It is therefore considered that there would be no detrimental impact on the amenity of the surrounding dwellings.

CIL

- 4.23 As the proposed development would equate to less than 100m² of new floorspace it is not CIL liable.

Conclusion

- 4.24 The proposed demolition of the studio and replacement with a single storey extension and associated changes to the existing listed building as set out above and in the submitted plans is compliant with the policies of the Development Plan and is therefore considered to be acceptable.

5 Representations Summary

Design and Conservation Officer

- 5.1 See comments in section 4 above

Council's Structural Engineer

- 5.2 Considering the topographical information expressed on the Piling Plan, it would appear that the layout will be satisfactory, as the gradients of the land surface appear to be fairly small in the context of the cliff generally.

Parks

- 5.3 The tree removals seem acceptable. It is suggested that a condition be imposed to protect the trees during development as set out in the Tree Protection Plan.

Leigh Town Council

- 5.4 No objections.

Leigh Society

- 5.5 No reply received

Historic England

- 5.6 Herschell House is an early-nineteenth century timber-framed and weather-boarded house, which occupies a prominent location on Leigh Hill. The original weather-boarded house, now the garden front, was built with four large window bays to maximise views over the Thames estuary to the south. This south elevation also possesses an attractive wooden veranda and scalloped eaves board. The house is listed at grade II as Ivy Cottage, in recognition of its special architectural and historic interest. Herschell House stands in close proximity to the Church of St Clement, which is listed at grade II*, and is also located within Leigh-on-Sea Conservation Area.
- 5.7 My colleague Janine Dykes recently provided pre-application advice on these proposals on 16 October and 14 December 2015 (HE ref: PA00398963), which proposed: the demolition of the single-storey studio; re-fronting of the two-storey extension to the west of the house with a fully-glazed elevation; and the construction of an extension to the west, on the site of the existing studio. The first submission proposed a two-storey extension with a flat roof and fully-glazed south elevation. This application also proposed the creation of a large area of hard standing sweeping around the principal elevation of the house. Following feedback, the second submission proposed a one-and-half storey extension, with a pitched roof and black cement sheet cladding.
- 5.8 This current application for Listed Building Consent proposes: the demolition of the existing single-storey studio; erection of a single-storey extension to the west gable of the house; re-fronting of the existing two-storey extension with a fully-glazed elevation; and associated piling works. It is proposed that the single-storey extension would have a pitched roof, constructed with black cement sheet cladding, and aluminium-framed doors and windows. The materials, form and massing of the proposed extension are akin to the existing studio, which the application proposes to replace, and the proposed extension would therefore not cause substantial harm to the significance of Herschell House, which is listed at grade II. We are pleased that the previous proposal for a large area of hard standing sweeping around the principal elevation of the house has been omitted from this application.

- 5.9 We have considered the current proposals in light of government policy and relevant Historic England guidance, and consider that the proposed materials, form and massing of the proposed extension would not cause substantial harm to the significance of the grade II listed Herschell House in terms of paragraph 132 of the NPPF. We do not wish to raise any objections to these proposals, and advise that this application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

Recommendation

- 5.10 Historic England considers that the proposed demolition, alterations and extension to the west gable of Herschell House, a dwelling listed at grade II, would not cause substantial harm to the significance of the grade II listed house. We do not wish to raise any objections to these proposals, and advise that this application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.

6 Public Consultation

- 6.1 A site notice was displayed and the proposal was advertised in the local newspaper. No responses were received.
- 6.2 The application was called in by Cllr Arscott.

7 Planning Policy Summary

- 7.1 National Planning Policy Framework 2012.
- 7.2 Development Plan Document 1: Core Strategy Policies KP2 (Development Principles) and CP4 (Environment & Urban Renaissance)
- 7.3 Development Management Policy DM1 (Design Quality), DM5 Southend's Historic Environment) and DM14 (Environmental Protection).
- 7.4 Supplementary Planning Document 1: Design & Townscape Guide, 2009.

8 Relevant Planning History

- 8.1 15/01783/FUL and 15/01784/LBC - Reinstate window to east elevation, remove external paintwork, strip and reinstate existing tiles to upgrade roof insulation and various internal repairs and refurbishment (Listed Building Consent) – granted 2016
- 8.2 15/01500/LBC – demolish garage – permission granted 2016

9 Recommendation

GRANT PLANNING PERMISSION for 16/00744/FUL subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be retained in accordance with the approved plans PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the Development Plan and to protect the special architectural character and historic interest of the listed building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1, DM5 and DM14 and SPD1 (Design and Townscape Guide).

03 The proposed materials for the development shall be those noted on plans P05 and P07 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the historic character and appearance of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1 and DM5 of the Development Management DPD and SPD1 Design and Townscape Guide.

04 The works to trees on the site shall be restricted to the felling of T5 (Whitebeam), T10 (willow) and T11 (eucalyptus). The remaining trees on the site shall be protected in line with the recommendations set out in Section 6 and Appendices 2 and 3 of the Arboricultural Report and the accompanying Tree Protection Plan.

Reason: To mitigate the impact of the development on the existing trees which make a positive contribution to the setting of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1, DM5 and DM14 of the Development Management DPD and SPD1 Design and Townscape Guide.

GRANT LISTED BUILDING CONSENT for 16/00745/LBC subject to the following conditions:

01 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be retained in accordance with the approved plans PO1, PO2A, PO3A, PO4, PO5, PO7, piling layout plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is carried out in accordance with the Development Plan and to protect the special architectural character and historic interest of the listed building. This is as set out in DPD1 (Core Strategy) 2007 policy KP2 and CP4, DM DPD Policy DM1, DM5 and DM14 and SPD1 (Design and Townscape Guide).

03 The proposed materials for the development and details relating to the integration with the listed building shall be those noted on plans P05 and P07 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the historic character and appearance of the listed building and the wider Leigh Conservation Area in accordance with National Planning Policy Framework (NPPF), DPD1 (Core Strategy) 2007 Policy CP4, Policies DM1, DM5 and DM14 of the Development Management DPD and SPD1 Design and Townscape Guide.

Informative

01 The applicant is advised that future works to the exterior and interior of the building may require Listed Building Consent and Planning Permission and should be checked with the Local Planning Authority prior to commencement. No works requiring consent shall be undertaken until the necessary consent have been given in writing. Undertaking works without consent is an offence and may lead to prosecution.

02 The applicant is reminded that Building Regulations Approval is required and an application should be made prior to commencement of the works.

03 The applicant is advised that the installation of a hardstanding for the parking of vehicles within the garden area would require Listed Building Consent and given past discussions with Historic England is unlikely to be considered acceptable as it would have a detrimental impact on the setting of the listed building.

04 The applicant is advised that as the proposed extension(s) to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.