

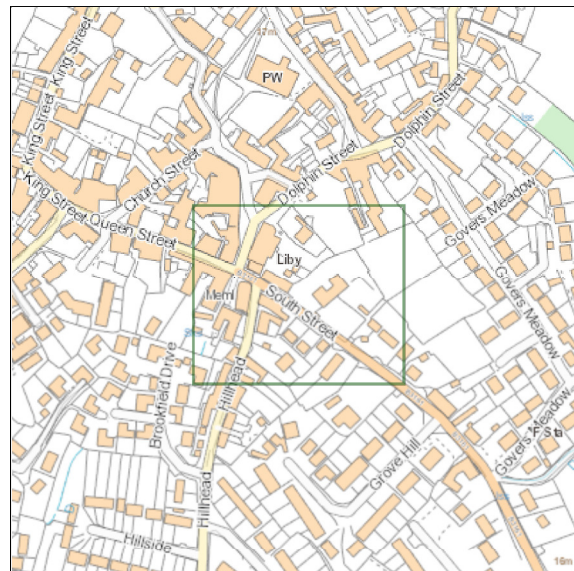
Ward Coly Valley

Reference 20/1482/FUL &
20/1483/LBC

Applicant Mr Hal Johnson

Location 3 Sunnyside South Street Colyton EX24 6EP

Proposal Take down section of garden wall and re-build



RECOMMENDATION: Approval with conditions



		Committee Date: 9th September 2020
Coly Valley (Colyton)	20/1482/FUL	Target Date: 04.09.2020
Applicant:	Mr Hal Johnson	
Location:	3 Sunnyside, South Street, Colyton, EX24 6EP	
Proposal:	Take down section of garden wall and re-build	

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EXECUTIVE SUMMARY

The applications are before committee as the applicant is an officer of the Council.

The proposal seeks planning and listed building consent to allow for the partial re-building of a section of boundary wall between the Grade II listed property and the neighbouring Grade II* property to the east, 'The Great House'.

The section of wall in question is in a poor condition and has an ivy branch growing through it which will further affect its stability. It was previously repaired many years ago but the concrete capping slabs that have been used are inappropriate and out of character.

The proposal looks to rebuild the wall re-using the existing stonework but utilising traditional lime mortar and re-instating the traditional 'cock and hen' stone capping used elsewhere on the garden walls.

Once complete and subject to the conditions set out below, the overall appearance of the wall will be slightly improved with negligible impact on the setting of either listed buildings and the setting of the conservation area preserved.

CONSULTATIONS

Local Consultations

Parish/Town Council

The Colyton Parish Council wish to support this application.

Technical Consultations

Historic England

Thank you for your letter of 16 July 2020 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Conservation

CONSULTATION REPLY TO PLANNING EAST TEAM

LISTED BUILDING CONSENT

PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: 3 Sunnyside, South Street, Colyton

GRADE: II/Adj II* APPLICATION NO: 20/1483/LBC & 20/1482/FUL

CONSERVATION AREA: Colyton

PROPOSAL: Take down section of garden wall and re-build

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

Great House is listed Grade II*

3 Sunnyside is one of a group of 3no. stone rubble cottages adjoining the garden to the Great House, and is listed Grade II.

Both properties are located within the Colyton Conservation Area.

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

This application relates to the shared side garden boundary wall between No. 3 Sunnyside and the Great House. Due to the change in levels the wall is different heights on each side, but is essentially a random sized and random coursed chert stone wall, in contrast to the regular coursed chert stone coursing of the front wall in square knapped flint to the Great House. The wall has previously been repaired with both cement and lime mortar and the section closest to the corner of No. 3 Sunnyside is in poor condition with ivy growing inside the wall, causing instability. In addition, the original cock and hen capping has been replaced with a concrete capping.

It is intended to take down the section of the wall closest to No. 3, the extent shown on the submitted plans, remove the ivy and to rebuild it to match using the salvaged material and a more appropriate lime mortar. The concrete capping will be replaced with the cock and hen style to match the remainder of the wall.

There is no objection in principle and it is considered that the proposed works will have little impact on the character, significance or setting of either No. 3 Sunnyside or the Great House. The replacement of the original capping will actually improve the appearance of the wall and contribute positively to the boundary wall between both properties. Subject to the conditions below the works to the wall are acceptable.

NB. There are no comments from Historic England. Please contact them to ensure that they have received the consultation as there have been some issues with their processes recently.

PROVISIONAL RECOMMENDATION - PROPOSAL ACCEPTABLE

SUGGESTED CONDITIONS: LBC1N; PL2;

Before any work is undertaken to remove any part of the garden boundary wall, the applicant shall take such steps and carry out such works as shall, during the process of the works permitted by this consent, secure the safety and the stability of that part of the boundary wall which is to be retained. Such steps and works shall, where necessary, include, in relation to any part of the boundary wall to be retained, measures as follows:-

- a) to strengthen any wall or vertical surface;
- b) to support any wall or horizontal surface; and
- c) to provide protection for the boundary wall against the weather during the progress of the works.

Details of any additional necessary repairs required as a result of the works, including methodology, specification or schedule shall be submitted to and approved in writing by the Local Planning Authority before continuing with the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

The salvaged materials from the wall shall be removed and stored under cover (or in a location approved in writing by the Local Planning Authority) for re-use in the rebuilding of the wall as part of the works permitted in this consent.

(Reason - To safeguard the architectural and historic character of the building in accordance Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

The rebuilding of the stone boundary wall shall be carried out in matching random stonework and the repointing shall be carried out using a lime based mix, 1 part 3.5 NHL to 6 parts sand unless otherwise agreed in writing by the Local Planning Authority. The colour, texture, type of bond and joint, and finish shall match original work, and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to commencement of the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

Other Representations

None received.

PLANNING HISTORY

Reference	Description	Decision	Date
18/1352/FUL	Refurbish Outbuilding	Approval with conditions	10.08.2018
18/1353/LBC	Refurbish Outbuilding	Approval with conditions	10.08.2018
13/2751/LBC	Replacement of 4no casement windows on front elevation with timber sash windows	Approval with conditions	14.02.2014

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

EN10 (Conservation Areas)

EN9 (Development Affecting a Designated Heritage Asset)

Site location and description

3 Sunnyside is at the south-eastern end of a terrace of 3 no. properties located to the north side of South Street, close to the town centre. The properties are constructed from stone rubble under a slate roof. The terrace is grade II listed for its group value.

To the rear of No. 3 is a courtyard garden bounded by stone walls. The application concerns a section of wall on the south-eastern boundary separating the site from the garden of 'The Great House' a grade II* listed building, located approximately 15.5 metres to the east. The site lies within the designated Colyton Conservation Area.

Proposed Development

Planning permission and listed building consent are sought to allow the demolition and rebuilding of an approximately 4 metre section of wall.

The wall forms the boundary between the application site and the garden of 'The Great House'. The wall is taller on the outer (Great House) side measuring approximately 2.2 metres above ground level compared with approximately 1.2 metres within the site. At present the section of wall in question is in a poor condition and has been patch repaired in the past, an ivy branch is growing up through the wall affecting its stability.

The proposal is to taken down the wall and rebuild it using the original stone but with lime mortar and replacing the existing inappropriate concrete capping stones with the more traditional 'cock and hen' style finish, used on other walls within the garden.

ANALYSIS

It is considered that the main issues in the determination of the application relate to the impact on the character and appearance of the listed building and wider conservation area. Given that the intention is to re-build the wall to largely replicate its original form and appearance (save for the more appropriate capping finish). It is not considered that the works would result in any detrimental impact on neighbouring occupiers.

Impact on character and appearance of the listed building

The boundary wall is physically attached to the main listed building.

The general duty under Section 66 of the Listed Buildings and Conservation Area Act 1990 is to preserve the building and its setting.

The National Planning Policy Framework (NPPF) states 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.

The proposal would entail the demolition of a short but not insignificant extent of wall and therefore of historic fabric. However, due to the extent of ivy ingress into the wall it is accepted that the works are necessary and would result in a more solid structure that should provide an appropriate and secure boundary finish for many years to come.

The replacement of the inappropriate concrete capping would bring about a positive benefit. Overall as the proposal largely seeks to reinstate the wall and address its deteriorating condition, it would cause no harm and would help to seek to secure the longer term retention and maintenance of the building.

Impact on wider conservation area

The application site lies within the designated conservation area of the town where policy EN10 of the Local Plan states that only development that would preserve or enhance the appearance and character of the area will be permitted.

In this instance the wall is located to the side and rear of the property where there are limited public views of the site, these being largely screened by the front boundary wall to The Great House. The purpose of the proposal is to restore the wall to what is likely to have been its original appearance and as such on completion the proposal would have a benign or slight positive impact on the conservation area and would preserve the appearance and character of it.

Other issues

There are a number of small trees growing in the vicinity of wall however these are of limited amenity value and are not considered likely to be affected by the proposed works.

CONCLUSION

The proposal seeks to repair and improve a listed boundary wall.

The proposed works will address the current deteriorating condition of the wall, rebuilding it with salvaged materials and re-introducing the original capping style that was lost when the wall was previously repaired many years ago.

The works will cause no harm to the listed wall, listed buildings, neighbour amenity or the wider Conservation Area and are welcomed in terms of ensuring the longer term future of the listed wall.

As such the application is recommended for approval.

RECOMMENDATION 1 – 20/1482/FUL

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.

(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

	Block Plan	10.07.20
	Location Plan	10.07.20
north west	Proposed Elevation	10.07.20
south east	Proposed Elevation	10.07.20
plan of wall	Other Plans	10.07.20

RECOMMENDATION 2 – 20/1483/LBC

APPROVE subject to the following conditions:

1. The works to which this consent relates must be begun not later than the expiration of three years beginning with the date on which this consent is granted.
(Reason - To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)
2. The works hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Before any work is undertaken to remove any part of the garden boundary wall, the applicant shall take such steps and carry out such works as shall, during the process of the works permitted by this consent, secure the safety and the stability of that part of the boundary wall which is to be retained. Such steps and works shall, where necessary, include, in relation to any part of the boundary wall to be retained, measures as follows:-

- a) to strengthen any wall or vertical surface;
- b) to support any wall or horizontal surface; and
- c) to provide protection for the boundary wall against the weather during the progress of the works.

Details of any additional necessary repairs required as a result of the works, including methodology, specification or schedule shall be submitted to and approved in writing by the Local Planning Authority before continuing with the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

4. The salvaged materials from the wall shall be removed and stored under cover (or in a location approved in writing by the Local Planning Authority) for re-use in the rebuilding of the wall as part of the works permitted in this consent.

(Reason - To safeguard the architectural and historic character of the building in accordance Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

5. The rebuilding of the stone boundary wall shall be carried out in matching random stonework and the repointing shall be carried out using a lime based mix, 1 part 3.5 NHL to 6 parts sand unless otherwise agreed in writing by the Local Planning Authority. The colour, texture, type of bond and joint, and finish shall match original work, and a small trial area shall be prepared in a non-prominent location for inspection and approval by the Local Planning Authority prior to commencement of the works.

(Reason - To safeguard the architectural and historic character of the building in accordance with Policy EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

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List of Background Papers

Application file, consultations and policy documents referred to in the report.