

PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990

**YORKSHIRE DALES NATIONAL PARK AUTHORITY
(Local Planning Authority)**

**NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR:
LISTED BUILDING CONSENT**

To: **Mr M Hartley**
Chatsworth Settlement Trustees

Decision No: C/09/633A/LB

The above named Authority being the Local Planning Authority for the purposes of your application received on 03/07/2015 for listed building consent for erection of single storey extension at Appletree Cottage, 2 The Green, Bolton Abbey, SE072539 have considered the said application and have GRANTED Listed Building Consent for the proposal subject to the following Conditions:

1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this notice.
2. The works shall be carried out in accordance with the details indicated in the following drawings/documents:-
Location Plan,
Block Plan,
Dwg no. 200B titled 'Proposed Plans and Elevations',
Dwg no. 300 titled 'Proposed Plans and Elevations',
Design and Access Statement and Heritage Statement,
all received 3rd July 2015.
Email from Martin Hartley dated 4th August 2015.
3. Prior to the commencement of the works a programme of archaeological work including a Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall include the following:
 - a) a programme and methodology of site investigation and recording
 - b) a programme and methodology for post site investigation assessment and recording
 - c) provision to be made for analysis of the site investigation and recording
 - d) provision to be made for archive publication and dissemination of the analysis and records of the site investigation
 - e) provision to be made for the archive deposition of the analysis and records of the site investigation
 - f) nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.
The development shall not be occupied until the site investigation and post – investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Date: **18 AUG 2015**


Designation

HEAD OF DEVELOPMENT MANAGEMENT

FOR NOTES AND RIGHTS OF APPEAL SEE OVERLEAF

LISTED BUILDINGS

NOTES

1. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until further approval has been obtained.
2. Attention is drawn to Section 8 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that DEMOLITION MAY NOT BE UNDERTAKEN (despite the terms of the consent granted by the Local Planning Authority) UNTIL NOTICE OF THE PROPOSAL HAS BEEN GIVEN TO THE ROYAL COMMISSION ON HISTORICAL MONUMENTS, Shelley House, Acomb Road, York, YO2 4HB, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.
3.
 - (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works or to grant consent subject to conditions, they may, by notice served within 6 months of the date of this notice, appeal to the Secretary of State for the Environment (The Planning Inspectorate) in accordance with Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and they will exercise their power in cases where they are satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.
 - (2) If Listed Building Consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the Local Planning Authority a Listed Building Purchase Notice requiring that council to purchase his interest in the land in accordance with the provisions of Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 - (3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him/her. The circumstances in which such compensation is payable are set out in Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you wish to exercise your right of appeal as mentioned above, you can do so online at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal> or on the appropriate form obtainable from:

The Planning Inspectorate
Customer Support Team
Room 3/13 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Telephone: 0303 444 5000 Fax: 0117 372 8782

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

(listed building)

4. Any historic features not previously identified, including the possible flue within the north-eastern corner of the kitchen, which are revealed when carrying out the works hereby permitted, shall be retained in – situ and reported in writing to the Local Planning Authority within 14 working days. Works shall be halted in the area/part of the building affected until provision has been made for the retention and/or recording in accordance with details submitted to and approved in writing by the Local Planning Authority. Works shall continue in accordance with the approved details.
5. The northern face of the extension hereby approved shall be built up using the existing stone removed from the original front wall, which shall have first been examined for marks and carvings and any such markings protected and retained. Any additional areas of stonework required and all other walls of the extension shall be built up in local natural stone. All stonework shall be laid and pointed to match in type, style and colour the external walls of the existing dwelling, Appletree Cottage and shall remain as such thereafter.
6. The materials to be used as the exterior roof covering of the extension hereby permitted shall be local natural stone slate of the same kind, dimensions and colour as those existing on Appletree Cottage at the date of this notice and shall be remain as such thereafter.
7. The window frames and external door shall be made of timber and painted to match the existing doors and windows at Appletree Cottage. Notwithstanding the details indicated on the approved plans, the windows shall be side hung casement windows with a maximum glazing thickness of 14mm. All casements or lights shall fit flush with the frame. The windows and external door shall be retained as approved thereafter.
8. All new surrounds, lintels, sills and jambs to the approved extension shall be of natural stone and shall match those surviving original examples within the existing building at the date of this notice, in terms of type of natural stone, colour, dimensions (including extent of lateral projection beyond the sides of the opening and forward projection from the wall surface), surface texture and tooling to the external finish.
9. The window and door frames shall be recessed by a minimum of 100 mm from the external face of the wall in which they are set and shall be retained as such thereafter.
10. All rainwater goods including fixings shall be coloured black and fixed directly to the masonry of the building using rise and fall brackets and shall remain as such thereafter.
11. The garden revetment wall shall be stone-faced using the reclaimed existing revetment wall stone. Any additional stone required shall match in type, style and colour the reclaimed existing stone. The revetment wall shall be retained as approved thereafter.

Reason(s):

1. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by section 51 (4) of the Planning and Compulsory Purchase Act 2004)
2. To define the plans/details to which this permission relates.
3. To help protect and thereafter to provide for the recording of the features of archaeological interest believed to be present in the site in accordance with saved policy B3 of the adopted Yorkshire Dales Local Plan (2006). This condition is required to be discharged prior to the commencement of the works as any works to implement the listed building consent could result in a harmful impact on any potential archaeological remains which

Continuation Sheet 2

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may require preservation in situ.

4. In the event of the discovery of historic remains, to help protect and thereafter to provide for the recording of the features of archaeological interest, in accordance with saved policy B13 of the adopted Yorkshire Dales Local Plan (2006).
- 5, 6, 7, 8, 9, 10, 11. In the interests of preserving the existing character and appearance of the listed building and surrounding area, in accordance with saved policy B13 of the adopted Yorkshire Dales Local Plan (2006).

NOTE:-

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

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YORKSHIRE DALES NATIONAL PARK AUTHORITY

Application No:	C/09/633A/LB	
District:	Craven	
Parish:	Bolton Abbey	
Applicant's Name:	Mr M Hartley, Chatsworth Settlement Trustees	
Grid Ref:	SE07225391	
Received by YDNP:	03/07/2015	Officer: Katherine Wood

PROPOSAL: listed building consent for erection of single storey extension

LOCATION: Appletree Cottage, 2 The Green, Bolton Abbey

CONSULTEES

Bolton Abbey PC

None received.

Senior Listed Building Officer

APPROVAL with conditions:

- Prior to any demolition a methodology to be supplied for the examination of and works to the broken walling / former flue, to ensure a fuller understanding of the missing structure, including a 1:50 drawing of the affected north wall elevation. This will provide a full record and allow further understanding of the possible flue visible on the external face.
- The drawing and photographs to include the interior walling relating to the concealed corner structure.
- The break through the C17 wall is to leave a short wall stub on the east side to retain the visible line of the C17 house rear wall, and if possible retain traces of the corner flue.
- Stones removed are to be examined for marks and carving. The external facing stones to be re-used in the construction of the lean-to north wall, to ensure replication of the character of the listed building.
- The raised garden to be subject to an archaeological watching brief (it lies just outside the Scheduled Monument but is within the medieval complex and routeways).
- The garden revetment stones to be re-used in the new gulley outside the lean-to.

PUBLIC RESPONSES

None to date.

RELEVANT PLANNING POLICIES

B13(06) - Listed Buildings

OFFICERS' OBSERVATIONS

THE SITE

This application relates to Appletree Cottage (no. 2 The Green). Appletree Cottage is a Grade II listed

building, one of a row of listed 17th/18th century estate cottages in the centre of Bolton Abbey village and the Conservation Area. The proposal relates to the northern side of the building. Whilst this is not the formal frontage of the property it is prominent in the village centre. There are various extensions to the northern side of the terrace row, some more historic than others.

PROPOSAL

This application seeks listed building consent for the erection of a lean-to extension to the northern side of the building, to provide an enlarged kitchen area. The wall original external wall of the kitchen is to be removed to create the enlarged room. The garden area to the north is set at a higher level and retained by a low stone wall. A small area of garden would be excavated and the retaining wall repositioned.

RELEVANT PLANNING HISTORY

C/09/633 – full planning permission for erection of single storey extension – awaiting determination.

KEY ISSUES:

- Impact on the listed building

PLANNING POLICY

In relation to the historic environment the National Planning Policy Framework (NPPF) requires planning authorities to take account of:

- The desirability of sustaining and enhancing the significance of the heritage asset and putting it to a viable use consistent with its conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Saved policy B13 of the adopted Local Plan states that proposals for alterations to listed buildings will only be permitted if the development is in keeping with the character of the building and does not detract from or prejudice its special interest.

IMPACT ON THE LISTED BUILDING

The principal consideration of this application is the impact of the works upon the architectural and historical significance of the Grade II listed building. Section 16 of the Town & Country Listed Building & Conservation Areas Act 1990 requires that the Local Planning Authority 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. The key issue to be assessed is the impact of the works on the architectural integrity and historic significance of the listed building.

The proposed extension is modest in scale, measuring 3.3m wide and 2.2 m in depth. The extension will have a simple form and the fenestration will respect the existing windows in the property. Whilst the extension will be relatively prominent from public views, the row of simple estate cottages has other similar scale extensions already. As such, it is considered that the scale and design of the extension will respect the character and appearance of the original building and the wider row of listed cottages.

The external wall of the property has had many historical alterations which are evident in the form of infilled window surrounds and variations in the remaining window surrounds. These features will remain evident for the most part although the extension will overlay a former staircase surround, albeit the stonework will only be partly obscured. The main impact on the listed building will result from the removal of a 1.5m section of the external wall to facilitate an enlarged kitchen. Given that the existing kitchen of the property is almost too small to be functional, the principle of enlarging the kitchen is justifiable. Ideally a short section of the original wall should be retained to demonstrate where the original wall would have been. However, for practical reasons it would pose real difficulties for the configuration of the kitchen. Instead the applicant has agreed to retain the original wall line unplastered.

There is some evidence to suggest that there was a corner flue in an area likely to be disturbed by the proposed works. Whilst the applicant has confirmed there would be no work to this area, it is difficult to envisage how the works can be carried out without some degree of interference with this corner. A condition can be added to ensure that any historic features disturbed should be protected and

recorded.


It is therefore considered that the proposed works will accord with saved policy B13 of the Local Plan (2006).

ANALYSIS OF MATERIAL CONSIDERATIONS

It is considered that the scale, proportions and design of the proposed extension will respect the appearance and character of the grade II listed estate cottage. The works will result in the loss of historic fabric, albeit the works are well justified. Overall the works will not be harmful to the special architectural or historic interest of the listed building, in accordance with the relevant criteria of saved policy B13 of the Yorkshire Dales Local Plan (2006) and guidance contained in the NPPF.

RECOMMENDATION

Recommendation is to grant listed building consent subject to conditions.



Signed by Case Officer

Date 17/8/15



Principal Planning Officer

Date 15.8.15