



## Report of the Chief Planning Officer

### NORTH AND EAST PLANS PANEL

Date: 15<sup>th</sup> May 2014

Subject: 13/05941/COND – Consent, agreement or approval required by condition 3 of planning application 13/00955/FU at

Oak Tree Cottage, 26 Church Lane, Bardsey, LS17 9DN

#### APPLICANT

Mr Steven Verity

#### DATE VALID

29<sup>th</sup> December 2013

#### DATE DETERMINED

N/A

#### Electoral Wards Affected:

Harewood

Yes

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

#### RECOMMENDATION:

Agree the stonework constructed on site, subject to:

- the introduction of vertical mortar joints;
- the use of yellower stone for the remaining courses; and
- the raking out of all mortar and its replacement with lime mortar.

If the works are not completed as outlined above within 3 months of the resolution to discharge the condition, the final determination of the application shall be delegated to the Chief Planning Officer.

## 1.0 INTRODUCTION

1.1 This report relates to an application for a single storey side and single storey rear extension at first floor level with steps to side, alterations to existing out buildings to form office/studio which was approved under delegated powers in April 2013, in consultation with the Ward Member(s). The property is listed and an application for listed building consent was approved at the same time. Condition 3 of each application stated that:

Construction of stonework shall not be commenced until a sample panel of the stonework to be used has been approved in writing by the Local Planning Authority. The panel shall be erected on site to establish the details of the type, bonding and coursing of stone and colour and type of jointing material. The stonework shall be constructed in strict accordance with the sample panel(s), which shall not be demolished prior to the completion of the development.

In the interests of visual amenity and to ensure that the stonework harmonises with the character of the area.

- 1.2 These conditions have not been discharged, however construction of stonework has commenced and is well underway on site. Concerns have been raised regarding the colour (grey), the size of the stone and the use of concrete mortar. At the request of officers construction of the external stonework has ceased until this matter can be resolved. Other works are continuing on site and most recently roof trusses have been installed, however it is understood that these are supported by the internal block work walls and are independent of the external skin of the extensions. As will be outlined below it is considered the changes outlined at the head of the report will overcome the concerns regarding the current situation on site.

## **2.0 SITE AND SURROUNDINGS:**

- 2.1 The application relates to a modestly proportioned, two storey historic cottage within the historic core of Bardsey and within the village's Conservation Area. The property is listed and its special interest derives from the fact it is one of the oldest buildings within the village and has a late medieval enclosed timber frame. The 16<sup>th</sup> century building has a two cell form with a central passageway and its windows are a mix of Yorkshire sliders and sash. This main body of the building has a gabled roof and is rendered with half-timber elements to the upper floor. There is a later, 19<sup>th</sup> century addition to the rear which forms a secondary, transverse gable. This is constructed from stone and painted white.
- 2.2 The property is attached to a later, stone built cottage and the Bingley Arms lies over the road. Both these buildings are also listed and are constructed of locally quarried sandstone which is yellow in tone, as are 'Bingley Cottage' and 'Tree Tops' which lie to the side of the Bingley Arms. This stone has weathered over the years and thus darkened by age and weathering. Some modern development is evident within this historic core, most notably The Holt which lies back from Church Lane along a small private drive. This is a recently constructed property and is also built from a reclaimed, sandstone which is yellow in tone. Within the wider village a Millstone grit is also in evidence and this has a more grey tone. Grey and yellow stone is therefore evident within the wider village, however within this section of the historic core the softer, more muted tones of the yellow sandstone predominate.
- 2.3 The pair of cottages are set back from the highway edge behind a low stone wall with hedging and vegetation providing additional height. There is a significant gradient within the area with the land rising north through the application site and also south toward the Bingley Arms. Other residential neighbours lie to the north-west and 24 Church Lane is situated in close proximity to the outbuildings. The garden of the property is set to the east side and to the rear. The lower portion of the garden is roughly at road level and a series of steps lead up to a the higher level which then continues to slope upward. Walling and vegetation form the boundaries.

### 3.0 RELEVANT PLANNING HISTORY:

- 12/03656/FU Single storey side/rear extension with terrace to front and balustrading above; single storey rear extension at first floor level with glazed link including garden store; alterations and extension to existing outbuilding to form annexe accommodation  
**Withdrawn**
- 12/03657/LI Listed Building application for alterations and single storey side/rear extension with terrace to front and balustrading above; single storey rear extension at first floor level with glazed link including garden store; alterations and extension to existing outbuilding to form annexe accommodation  
**Withdrawn**
- 13/00955/FU Single storey side and single storey rear extension at first floor level with steps to side, alterations to existing out buildings to form office/studio  
**Approved**
- 13/00956/LI Listed Building application for single storey side and single storey rear extension at first floor level with steps to side, alterations to existing out buildings to form office/studio  
**Approved**
- 13/04563/COND Consent, agreement or approval required by condition 5 of Planning Application 13/00955/FU  
**Approved**

### 4.0 HISTORY OF NEGOTIATIONS:

- 4.1 The application to discharge the condition was received in December of 2013. It is understood that the conservation officer visited the site in late January/early February, assessed the sample panel (which remains on site) and offered verbal advice that the sample panel was acceptable. Planning officers visited the site in March following the concerns which had been raised regarding the colour and size of stones being used.
- 4.2 Following this site visit the agent has produced a detailed justification of the stone selection. This notes that the stone used to construct Bardsey's buildings is a sandstone, and that the tones range from yellow to grey. A photographic survey further demonstrates the range of tones within the village. The document concludes that natural, reclaimed stone should be used and that a predominately grey tone would be in keeping with the village.
- 4.3 Following receipt of this document meetings have been held in the office and on site with both planning and conservation officers in attendance where concern regarding the size and colour of the stone were reiterated. Attempts have been made to address concerns regarding stone size through the introduction of additional vertical mortar joints. To address concerns regarding the colour of the stone a jet wash was used to remove the face of some stones in the hope this would lessen the predominance of grey and reveal yellower tones. It is also suggested that when construction of stonework is recommenced the remaining

upper courses of stone and the gable should be constructed from the most yellow pieces of the stone.

## **5.0 PUBLIC/LOCAL RESPONSE:**

5.1 Not applicable

## **6.0 CONSULTATIONS RESPONSES:**

6.1 Conservation officers consider that the cleaned stone appears to be an appropriate tone in direct sunlight, and this, coupled with the false mortar joints and repointing with lime mortar mean the stonework is acceptable. The text of the conservation officer's comments, agreed in consultation with the senior conservation officer are as follows.

Based on my description of the work and based on the photographs we believe the stone sample is acceptable and suitable for the consent that has been given. The cleaned stone looks significantly more yellow when in direct sunlight and is a similar tone to the neighbouring properties. The false joints also break up the massing of the stones and enable a subservient appearance. One issue though is the mortar joints. These should be raked out and repointed with a lime mortar and brushed-in finish to establish a character more sympathetic to the historic walling in the area.

If the above can be achieved we feel that special interest will be preserved as far as is possible and the wider character of the conservation area will be preserved.

## **7.0 PLANNING POLICIES:**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises the Leeds Unitary Development Plan (Review 2006) and the Natural Resources and Waste Development Plan Document (2013).

### Local Planning Policy

7.2 The Leeds Unitary Development Plan (Review 2006) is the development plan for the whole of the Leeds district. Relevant planning policies in the Leeds Unitary Development Plan (Review 2006) are listed below:

GP5: Development proposals should resolve detailed planning considerations.

N19 All new buildings and extensions within or adjacent to conservation areas should preserve or enhance the character or appearance of the area by ensuring that:

i. The siting and scale of the building is in harmony with the adjoining buildings and the area as a whole;

ii. Detailed design of the buildings, including the roofscape is such that the proportions of the parts relate to each other and to adjoining buildings;

iii. The materials used are appropriate to the environment area and sympathetic to adjoining buildings. Where a local materials policy exists, this should be complied with;

iv. Careful attention is given to the design and quality of boundary and landscape treatment.

BC7: Development within conservation areas will normally be required to be in traditional local materials.

N14: There will be a presumption in favour of the preservation of listed buildings. Consent for the demolition of substantial demolition of a listed building will be permitted only in exceptional circumstances and with the strongest justification.

N16: Extensions to listed buildings will be accepted only where they relate sensitively to the original buildings. In all aspects of their design, location, mass and materials, they should be subservient to the original building.

### 7.3 **Supplementary Planning Guidance/Documents**

Bardsey Conservation Area Appraisal and Management Plan

### 7.4 **Emerging Local Development Framework Core Strategy**

The Core Strategy was submitted to the Secretary of State for Communities and Local Government on 23rd April 2013. The Secretary of State appointed a Planning Inspector to conduct the examination of the plan, which commenced on 7th October and ended on 23rd October. The Inspector's report is awaited. At this stage the only issues which the Inspector has raised concerning the soundness of the plan relate to the affordable housing policy and the Council's evidence on Gypsies and Travellers. As the Core Strategy has been the subject of independent examination (October 2013) its policies attract some weight, albeit limited by the fact that the policies have been objected to and the Inspector's Report has yet to be received (currently anticipated in Spring 2014).

#### National Planning Policy

7.5 The National Planning Policy Framework (2012) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

7.6 The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The policy guidance in Annex 1 to the NPPF is that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. It is considered that the local planning policies mentioned above are consistent with the wider aims of the NPPF.

7.7 Paragraphs 126-141 relate to the protection of the historic environment with paragraphs 132 and 133 highlighting listed buildings. Paragraph 133 notes that where development will lead to substantial harm to the significance of a heritage asset consent should be refused.

## 8.0 MAIN ISSUE

1) Appearance and Character of Listed Building/Conservation Area

## 9.0 APPRAISAL

### Design and Character/Conservation Area

9.1 When assessing this application it must first be established whether the stone which is being used to construct the extensions is appropriate. In order to do this it is necessary to consider whether it reflects the special character of the listed building and also whether the stone is appropriate within the wider context of Barsdey's historic core. If it is concluded that the stone is not appropriate then measures to mitigate the harm should be considered. Only if mitigation is not possible should the discharge of condition be refused.

9.2 In reaching a view on the stone to be used it should be recognised that the side extension is well set back in the site and has been designed as a subsidiary element to the listed building. Both extensions are single storey with pitched roofs which are proposed to be covered with timber shingles to match the main roof. As noted within the justification statement the architect has selected a neutral stone colour which he believes is right for the site and which reflects the boundary wall of the site.

9.3 When assessing if stonework reflects the character of a building and the wider area it is usual to consider four separate elements:

- the stone colour;
- the stone size;
- the method of construction (rubble, random/regular coursing); and
- the mortar joints (type of mortar, style and thickness of pointing).

9.4 The method of construction is considered to be appropriate. The use of regular courses and the course height is acceptable and reflects the character of surrounding buildings. The mortar joints are not acceptable as concrete rather than a lime mortar has been used. However, verbal assurances have been given that this will be raked out and the extensions repointed using an appropriate mortar and style of pointing. As such the outstanding issues are therefore the size of stones which are being used as well as their colour. These will be addressed in turn.

9.5 As constructed the stonework does include larger pieces of stone which are not reflective of the smaller stone sizes of surrounding buildings which are nearer square. In order to address this concern the agent has suggested inserting false vertical mortar joints. These will be used to bisect the longer stones and introduce the impression of smaller, more square pieces. This has been trialled on a small section of the extension and is considered to be successful. As such it is considered that whilst many of the stones are at present too long, this harm can be mitigated.

9.6 The colour of the stone remains of some concern. As it outlined within the justification which has been recently submitted by the agents, the historic

stonework within Bardsey includes yellow and grey tones. The agrarian historic core stretches from the Grade I listed church, down Church Lane toward the application property and encompasses 28 Church Lane next door, 30 Church Lane beyond and the Bingley Arms and its attached houses opposite the site. All Hallows Church tends toward the grey end of the spectrum, however the other properties within the historic core are largely constructed of a yellow sandstone. Grey tones are present on the buildings, some of which are the result surface discolouration through pollution, however it is clear that the underlying stone is predominantly yellow and this muted, mellow tone is characteristic of this section of the conservation area. Within recent years building work within the historic core has used sandstone with a yellow tone. This has been used to construct an extension to Bingley Cottage (next to the Bingley Arms) and also the new build property, The Holt.

- 9.7 The stone which is being used to construct the extensions is predominantly grey. There are flecks of a more muted yellow colour within some of the blocks, however some are wholly grey. Whilst the presence of some grey stones within the extensions would not be harmful, the near ubiquitous presence of a grey tone to the extensions does raise concern. The application dwelling is rendered white, and thus the contrast with the application building is not so critical, however when the immediate streetscene is taken into consideration the absence of the yellower hues is noticeable, and members will be able to reach a view on the streetscene impact during the site visit. It is noted that the conservation officer considers that if the stone is cleaned and is in direct sunlight the stone has a sufficient quantum of yellow tones. Although this view is noted, officers remain concerned about the overall predominance of grey.
- 9.8 At present the bulk of the stonework is not easily visible from public points of view as this is partially screened by a front boundary hedge. However, this hedge is deciduous and thus does not provide screening all year round, and particularly will not provide screening during the darker, winter months when the sun is less likely to be shining. It is also not usual practice to condition boundary treatments greater than 1.0m adjacent to a highway as this can have implications for highway safety with visibility from driveways being severely restricted.
- 9.9 The extension will also project above the hedge and elements of the stonework will be visible from public points of view, particularly at eaves level and in the side gable. These have not yet been constructed and thus it is possible to introduce more yellower tones within the stonework that is yet to be built. If this can be achieved in a subtle manner, so that there is no obvious and stark distinction between the grey and the yellow tones this may resolve the harm which a wholly grey extension would cause. This matter would then be deferred back to officers to resolve in consultation with the agent. Members therefore need to first reach a view on whether the stone colour is acceptable. If the stone colour is not acceptable then consideration must be given to whether the mitigation measures are acceptable.

## **10.0 CONCLUSION**

- 10.1 It is therefore considered that subject to the introduction of false mortar joints, the use of appropriate mortar and more yellow stonework to the upper portion of the extensions officer concerns regarding the size and colour of the stonework can be resolved.

### **Background Papers:**

Application files 13/00955/FU



NOTES  
 Contractor must verify all dimensions on site before commencing any work or shop drawings.  
 Report any discrepancies before commencing work to the Architect. If this drawing exceeds the quantities taken in any way, the architects are to be informed before the work is initiated.  
 Only figured dimensions to be taken from this drawing. Do not scale off this drawing.  
 Drawings based on Ordnance Survey and/or existing record drawings - design and drawing content subject to Site Survey, Structural Survey, Site Investigations, Planning and Statutory Requirements and Approvals.  
 Work within the Construction (Design & Management) Regulations 2007 is not to start until a Health & Safety Plan has been produced.  
 This drawing is Copyright and must not be reproduced without consent of 2B architecture Ltd.  
 Rev. Description Drawn Date Checked Date  
 A Design updated for new proposal AH Feb 2013

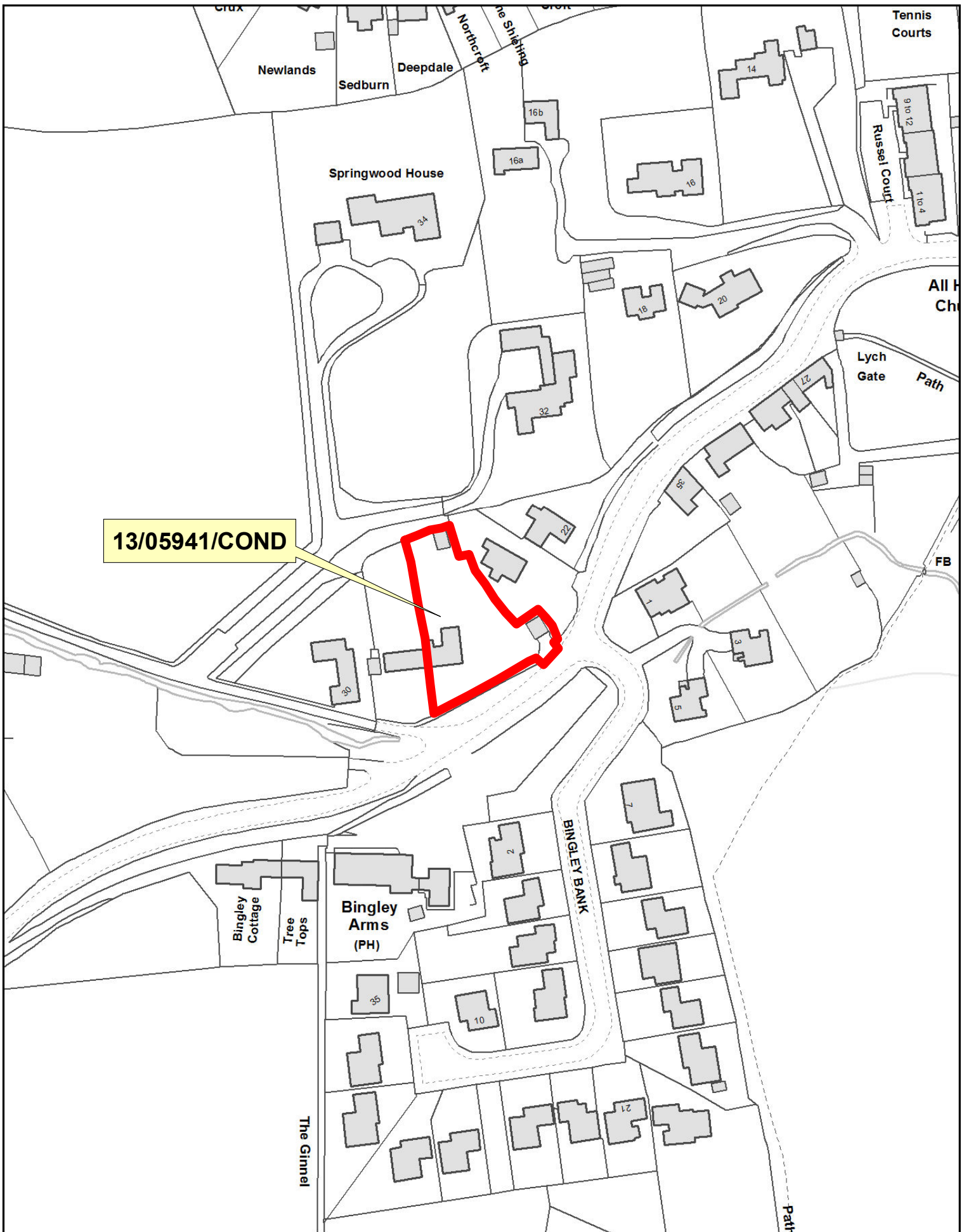
— Site Boundary



2B

Project  
**Mr S Verity and Mrs K Athey**  
**Proposed Extension to Oak Tree Cottage**  
**Bardsey**  
 Drawing Title:  
**Proposed Site Plan**  
 Scale: Date: Drawn: Checked:  
**1:200@ A3 Aug 2012 YA**  
 Drawing Number: Revision:  
**2012-009-010 A**  
 2 Brewery Place Brewery Wharf  
 Leeds LS10 1WE www.2b-architecture.com





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