

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/14/01368/LB
FULL APPLICATION DESCRIPTION:	Replace existing roof with reclaimed welsch slate and fibreglass on the flat roof to the rear.
NAME OF APPLICANT:	Mr J Orr
ADDRESS:	71 Gilesgate, Durham, DH1 1HY
ELECTORAL DIVISION:	Elvet And Gilesgate
CASE OFFICER:	Susan Hyde

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application site is a mid terraced dwelling built in about 1840 fronting onto Gilesgate. The building is Grade II listed and lies within the Durham (City Centre) Conservation Area. The application site No 71 Gilesgate is jointly listed with no70a as Grade II Listed Buildings forming a pair of houses in a terrace of simple two storey, two bayed properties build in English bond brick with a Welsh slate roof.
2. Listed Building Consent is sought for the replacement of the existing Welsh blue slate roof – which the applicant thinks is the original roof on the building - with a roof in similar Welsh slate. A modern extension to the rear of the property is proposed to have its felt roof replaced with fibreglass.
3. The application is brought before members of the planning committee as the applicant is a relative of a Council employee.

PLANNING HISTORY

4/99/00284/LB – Alterations to front elevation to provide additional window – refused Listed Building Consent.

4/10/00213/FPA and 4/10/00214/LB - Erection of single storey pitched roof extension to rear of existing House in Multiple Occupation. (Amended Description)

PLANNING POLICY

NATIONAL POLICY:

4. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in

achieving sustainable development under three topic headings - economic, social and environmental, each mutually dependent.

5. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles' The following elements are considered relevant to this proposal:
6. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.
7. Part 7 - The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
8. Part 12 - Conserving and Enhancing the Historic Environment. Working from Local Plans that set out a positive strategy for the conservation and enjoyment of the historic environment, LPA's should require applicants to describe the significance of the heritage asset affected to allow an understanding of the impact of a proposal on its significance.
9. The above represents a summary of the NPPF considered most relevant the full text may be accessed at:
<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

LOCAL PLAN POLICY:

10. Policy E6 (Durham City Centre Conservation Area) states that the special character, appearance and setting of the Durham (City Centre) Conservation Area will be preserved or enhanced as required by section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The policy specifically requires proposals to use high quality design and materials which are sympathetic to the traditional character of the conservation area.
11. Policy E22 (Conservation Areas) seeks to preserve or enhance the character or appearance of conservation areas, by not permitting development which would detract from its setting, while ensuring that proposals are sensitive in terms of scale, design and materials reflective of existing architectural details.
12. Policy E23 (Listed Buildings) seeks to safeguard listed buildings and their settings by not permitting, development that would adversely affect the special interest of a listed building, total or substantial demolition, or development detracting from the setting of a listed building. Any alterations must be sympathetic in design, scale and materials.

EMERGING POLICY:

13. The emerging County Durham Plan is now in Pre-Submission Draft form, having been the subject of a recent 8 week public consultation, and is due for submission in Spring 2014, ahead of Examination in Public. In accordance with paragraph 216 of the NPPF, decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. To this end, the following policies contained in the Pre-Submission Draft are considered relevant to the determination of the application:

14. Policy 1 (Sustainable Development) - States that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.
15. Policy 44 (Historic Environment) - Development will be required to conserve the fabric, character, setting and cultural significance of designated and non-designated heritage assets and seek opportunities to enhance structures and areas of significance throughout County Durham.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

16. None

INTERNAL CONSULTEE RESPONSES:

17. Design and Historic Environment : Requested further information on the methodology of implementing the application. This has been provided and they now raise no objections to the application.

PUBLIC RESPONSES:

18. The application was advertised by means of advertisement in the local paper, site notice and neighbour notification to 6 properties. No letters of representation have been received in respect of the above development.

APPLICANTS STATEMENT:

19. This application is for Listed Building Consent to replace the existing roof covering and replace it with reclaimed natural slate. The current roof covering has deteriorated over recent years and thus, has an adverse visual impact on the important terrace to which it forms part and also more widely the Durham City Conservation Area.
20. It is proposed to use reclaimed natural slates which would complement the properties to either side of the host property and are considered appropriate for the age and character of the building. The reuse of existing materials has been explored however, given the condition their reuse would not provide a viable long-term protective covering to the building. To this end and in order to preserve the significance of the building and its contribution to the conservation area, reclaimed materials have been proposed.
21. It is considered that the proposed development would enhance the visual amenity of the front street scene, the Durham City Conservation Area and ensure the long term protection of the Listed Building.

PLANNING CONSIDERATIONS AND ASSESSMENT

22. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the

development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

23. The main considerations in regard to this application are impact upon the historical character of the listed building and the impact of the building in the Conservation Area.
24. Policy E23 of the Local Plan seeks to safeguard listed buildings and their setting and protect the architectural or historical features of the listed building. In this case the applicant has found that the existing natural Welsh slate roof covering has many broken slates and degradation and delaminated slates from the natural deterioration of the Welsh slates over time – which the applicant considers is the 175 years since it was first constructed.
25. A methodology statement has been submitted with the application which has identified the re-use of all existing good slates and replaces the damaged slates with natural Welsh slate which is considered to be good practice. The remaining fabric of the building including roof trusses will be retained in situ and repaired where necessary to protect the architectural integrity of the building.
26. The works to the rear extension replacing the mineral felt roof with a fibreglass roof are not contentious and relate to a modern extension which is not visible within the surrounding public realm.

CONCLUSION

27. It is considered that the Grade II structure and its setting would not be adversely affected and the future maintenance of the building and hence its long term retention will be more likely to be safeguarded as a result of these works. The application is therefore recommended for approval.

RECOMMENDATION

That the application be **APPROVED** 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 the consent is granted.

Reason: In accordance with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby approved shall be carried out in strict accordance with the following submitted document Heritage Statement, existing and proposed roof plan, all items validated on the 16th May 2014 and the additional information provided by email on the 15th June 2014 providing the context and methodology of the proposed works.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policies E6, E22 and E23 of the City of Durham Local Plan 2004.

STATEMENT OF PROACTIVE ENGAGEMENT

In dealing with the application, the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising during the application process. The decision has been made within the 8 week target provided to the applicant on submission and in compliance with the requirement in the National Planning Policy Framework to promote the delivery of sustainable development.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation

City of Durham Local Plan 2004

National Planning Policy Framework

Internal consultee responses

Public responses

Responses from statutory and other consultees

National Planning Policy Guidance

Emerging County Durham Plan