

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:** **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

**DATE:** **WEDNESDAY, 23 JULY 2014**

**REPORT BY:** **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

**SUBJECT:** **051930 - LISTED BUILDING CONSENT - RETENTION OF A REPLACEMENT STRUCTURE TO SIDE FORMING A DINING AREA WITH REPLACEMENT WINDOW ABOVE AT HILLSIDE COTTAGE, KINNERTON LANE, HIGHER KINNERTON.**

**APPLICATION NUMBER:** **051930**

**APPLICANT:** **MR. G. VIVIAN**

**SITE:** **HILLSIDE COTTAGE, KINNERTON LANE, HIGHER KINNERTON**

**APPLICATION VALID DATE:** **15.5.14**

**LOCAL MEMBERS:** **COUNCILLOR P. LIGHTFOOT**

**TOWN/COMMUNITY COUNCIL:** **HIGHER KINNERTON COMMUNITY COUNCIL**

**REASON FOR COMMITTEE:** **BELIEVES THE BUILDING TO BE GRADE II LISTED**

**SITE VISIT:** **YES**

**1.00 SUMMARY**

1.01 This application seeks retrospective listed building consent for the retention of a replacement structure to side forming a dining area with replacement window above at Hillside Cottage, Kinnerton Lane, Higher Kinnerton. Hillside Cottage is a Grade II listed building. As the proposals also require planning permission, an application has been submitted under reference 051929 and is also put forward for Member's consideration under separate report.

**2.00 RECOMMENDATION: TO REFUSE PLANNING PERMISSION FOR THE FOLLOWING REASONS**

2.01 In the opinion of the Local Planning Authority, the extension by reason of its excessive bulk, volume and height, draws undue attention away from the original Grade II listed house and compromises its character as a listed building. Also, the replacement of the first floor window has resulted in a loss of character and integrity of the listed building. As such, the proposal is contrary to Policy GEN1, D2, HSG12 and HE2 of the Flintshire Unitary Development Plan.

**3.00 CONSULTATIONS**

3.01 Councillor P. Lightfoot  
Requests Committee determination and site visit. Believes that the building is Grade II listed.

Higher Kinnerton Community Council  
No objection to the application

Clwyd Powys Archaeological Trust  
No archaeological impact.

Head of Public Protection  
No adverse comments to make.

Airbus  
No aerodrome safeguarding objection to the development.

**4.00 PUBLICITY**

4.01 Press Notice, Site Notice, Neighbour Notification  
No responses received at time of writing

**5.00 SITE HISTORY**

5.01 Ref: 048343 – Erection of a two storey extension to rear of dwelling and demolition of lean-to and outbuildings approved 18.8.11

**6.00 PLANNING POLICIES**

6.01 Flintshire Unitary Development Plan  
Policy GEN1 – General Development Requirements  
Policy D2 - Design  
Policy HE2 – Development Affecting Listed Buildings and their Settings  
Policy HSG12 – Extensions and Alterations to Dwellings

The proposal would not comply with the above policies.

## **7.00 PLANNING APPRAISAL**

7.01 This application seeks listed building consent in retrospect for the demolition of an existing porch and replacement with a single storey extension to form dining room with replacement window at first floor at Hillside Cottage, Kinnerton Lane, Higher Kinnerton. The building is Grade II listed and lies within open countryside fronting onto Kinnerton Lane.

The building was granted listed building consent under application reference 048343 on 18<sup>th</sup> August, 2011 for the erection of a two storey extension to the rear with demolition of lean-to and outbuilding. This application was subject to lengthy negotiations between the case officer at the time and the Conservation and Design Officer in order to achieve a scheme which provided a reasonable amount of additional family accommodation and also related well in proportion, massing and design to the original listed house. The approved plans comprised a two storey extension in a similar traditional form to the existing rear wing of the house and a single storey lightweight structure which was to replace an existing conservatory. These works are now completed. However, during development works the applicant also undertook demolition of a single storey part-glazed porch structure to the side of the property and replaced this with a brick built single storey extension with flat roof with glazed lantern light above to form dining room and replaced an original first floor window with a differently proportioned one. These works are unauthorised and this application seeks to regularise the development.

The Conservation and Design Officer has been consulted with regard to this application and is of the opinion that the extant extension is unacceptable by way of:-

- The single storey element is too large, being too high and deep to sit comfortably as a minor adjunct to the main house as extended. The large lantern light to the roof adds further height and interferes with a clear view of the rear of the upper floor of the original house.
- The single storey extension has a greater proportion of brick work to glass than the approved scheme or the earlier conservatory, and this lends it an unacceptable bulkiness and horizontality which draws undue attention away from the original house.
- An original window has been removed from the rear wing of the original house and must be reinstated in order to preserve the essential architectural character of the listed building.

## **8.00 CONCLUSION**

- 8.01 In conclusion, it is considered that the unauthorised works are unacceptable and are contrary to Policy GEN1, D2, HE2 and HSG12 of the Flintshire Unitary Development Plan for the reason outlined in Section 2.0 of this report. The application is therefore recommended for refusal.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

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