



## Planning, Taxi Licensing and Rights of Way Committee Report

**Application Number:** 20/1142/LBC

**Grid Ref:** E: 322398

N: 307332

**Community Council:** Welshpool Community

**Valid Date:** 22.07.2020

**Applicant:** Mr Jack Tavernor

**Location:** Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

**Proposal:** Listed building consent for alterations to a stone wall involving removal of section of low stone wall, concrete post and fence and rebuild remaining wall

**Application Type:** Listed Building Consent

### The reason for Committee determination

The application was called-in by the Local Member.

### Consultee Responses

#### Consultee

#### Received

PCC-Built Heritage Officer

30<sup>th</sup> Sep 2020

#### Recommendation

20/1142/LBC - further details required preferable to condition

20/1354/FUL - will await the HIA before responding

#### Background to Recommendation

#### Designation

Welshpool Conservation Area

#### Listed Buildings

Oldford Cottage Cadw ID 7825 included on the statutory list on 25/04/1950

## Policy Background

The advice has been given with reference to relevant policies, guidance and legislation

The Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Wales 10th edition 2018

Conservation Principles published by Cadw

TAN24

Managing Listed Buildings in Wales - Annexe to TAN24

Heritage Impact Assessments in Wales - Annexe to TAN24

Managing Conservation Areas in Wales - Annexe to TAN24

Setting of Historic Assets in Wales - Annexe to TAN24

Heritage Impact Assessments - Annexe to TAN24

Historic Environment Records

Local Development Plan

Strategic Policy SP7

DM13 Design and Resources Local Development Plan Themes and Objectives;

Theme 4 - Guardianship of natural, built and historic assets

LDP Objective 13 - Landscape and the Historic Environment

## Comments

I note that there are 2 applications, the first a LBC application for the demolition of a stone wall to facilitate vehicular access into the site and for the erection of a dwelling on the site. Usually a LBC and full application should be considered concurrently as each is dependant on the other. However in this instance the LBC relates to an access that would serve both the proposed house and the existing listed building and as such I would consider that it is acceptable to consider the LBC independently. I understand that a Heritage Impact Assessment is due to be prepared to accompany the applications, and I shall await that document to provide a full response on 20/1354/FUL, however as I am

requesting further information in respect of the listed wall, I am forwarding these comments at this stage as hopefully the HIA will answer these enquiries.

Nevertheless I shall comment on each application individually.

20/1142/LBC Listed building consent for alterations to a stone wall involving removal of section of low stone wall, concrete post and fence and rebuild remaining wall Oldford Cottage Oldford Lane Welshpool SY21 7TE

Demolition of the curtilage listed wall is required to enable access to the site.

Section 5.14 of TAN 24 advises that an application for the demolition of a listed building should be made in exceptional circumstances and only as an option of last resort. Consent for demolition should not be given simply because redevelopment is economically more attractive than the repair and re-use of a historic building.

The demolition of a listed building or buildings within a conservation area should be assessed against the criteria identified in TAN 24 (section 5.15) in respect of demolition is as follows.

1. The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
2. The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.
3. The merit of the alternative proposal for the site, including where the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.

It is noted that part of the wall has collapsed and a fence has been erected atop the collapsed wall. The proposal is to demolish a section of the wall and to rebuild the wall on the remaining wall where it has collapsed.

The wall to be rebuilt would not be of the same height as the area of wall remaining at its perceived original height that is 2.1m. The wall to be rebuilt is 1.8m in height. However it is noted that the section of higher wall has a shed attached to the wall and it appears that the wall has been raised to accommodate the shed. Further details in respect of this increase in height would be useful, as would the proposed future of the shed which appears to be proposed for demolition, however this is not clear and if this is the case if

should be clearly referenced in the application.

The submitted Planning and Heritage Impact Statement with Design and Access Statement does not address the requirements of a Heritage Impact Assessment which differs from a D&A or planning statement.

Whilst not objecting to the application, it is recommended that further information be received prior to the application being determined namely;

Confirmation of the coursing of the wall.

Confirmation as to the topping of the wall

I would recommend that these details be received and agreed prior to referral to Welsh Government.

However should you wish to determine the application prior to the receipt of this information I would recommend the following conditions be attached to the granting of any consent. NB conditions 2 and 3 should be attached even following the receipt of the information in line with guidance on demolition of heritage assets.

Prior to any works commencing on site, full details of the wall to be rebuilt, including, details of the proposed coursing, and coping or method of finishing the top shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with those details.

The demolition of any part of the curtilage listed wall identified on application 20/1142/LBC shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals which have received planning permission and all prior to works commencing conditions attached to 20/1354/FUL having been discharged. The Local Planning Authority shall be advised as to the completion of such a contract prior to any demolition taking place. The written approval of the phasing and timing of works involved shall be secured before any part of the demolition hereby approved first commences. All works shall then be carried out in accordance with the approved timetable, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to section 74 and section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Prior to any work being undertaken in pursuance of the consent to demolish any part of the building, details shall be submitted to and approved in writing by the Local Planning Authority of any works to be undertaken during the progress of the development hereby permitted to secure the safety and stability of that part of the building which is to be

retained in accordance with any terms of conditions of this consent.

Reason: To minimise the risk of damage to the elements of the building to be retained, and pursuant to section 74 and section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

20/1354/FUL Erection of 1 no. residential dwelling and construction of vehicular access and parking Oldford Cottage Oldford Lane Welshpool SY21 7TE

I note that the application is a resubmission of application 20/0102/FUL for which I raised objections on;

- 1.The Heritage Impact Statement did not address stages 2,3 or 4 of the Setting Assessment laid out in Welsh Government guidance in lines with section 1.26 of TAN24.
- 2.The impact on the Character or Appearance of the Welshpool Conservation Area.
- 3.The Design of the Proposed dwelling in line with LDP Policy DM13.
- 4.The setting of Oldford Cottage Cadw ID 7825

I acknowledge that a revised design has been submitted, however I note that a Heritage Impact Assessment is due to be prepared. As such it would seem prudent to await receipt of that assessment before providing a response on the full application.

*Additional comments received 03/12/2020;*

Recommendation

20/1142/LBC - No Objection

20/1354/FUL - No Objection

Background to Recommendation

Designation

Welshpool Conservation Area

Listed Buildings

Oldford Cottage Cadw ID 7825 included on the statutory list on 25/04/1950

## Policy Background

The advice has been given with reference to relevant policies, guidance and legislation

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Historic Environment Records

## Local Development Plan

Strategic Policy SP7

DM13 Design and Resources Local Development Plan Themes and Objectives;

Theme 4 - Guardianship of natural, built and historic assets

LDP Objective 13 - Landscape and the Historic Environment

## Comments

I note that there are 2 applications, the first a LBC application for the demolition of a stone wall to facilitate vehicular access into the site and for the erection of a dwelling on the site.

I shall comment on each application individually.

Following my previous comments dated 30 September 2020, I note the additional

information in respect of a Heritage Impact Assessment and setting assessment and further information in respect of the works to the wall, and it is on the additional information and plans that I am providing comments.

20/1142/LBC Listed building consent for alterations to a stone wall involving removal of section of low stone wall, concrete post and fence and rebuild remaining wall Oldford Cottage Oldford Lane Welshpool SY21 7TE

Demolition of the curtilage listed wall is required to enable access to the site.

Section 5.14 of TAN 24 advises that an application for the demolition of a listed building should be made in exceptional circumstances and only as an option of last resort. Consent for demolition should not be given simply because redevelopment is economically more attractive than the repair and re-use of a historic building.

The demolition of a listed building or buildings within a conservation area should be assessed against the criteria identified in TAN 24 (section 5.15) in respect of demolition is as follows.

1. The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
2. The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.
3. The merit of the alternative proposal for the site, including where the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.

It is not considered that criteria 2 and 3 are applicable in this instance. However in respect of criteria 1, the condition of the wall is noted and the collapse, and that the current proposal would retain part of the wall, demolish a section to enable access to the site and to rebuilt a section that has collapsed. Whilst noting the section of wall to be demolished, it is also noted that sections would be rebuilt, and as such it is considered that the proposal would be acceptable in that the legibility of the wall would be better understood with a wall more akin to its original size with an easy to read access point than the current wall which has partially collapsed.

The wall to be rebuilt would not be of the same height as the area of wall remaining at its perceived original height that is 2.1m. I note the plan U014.3a.3.007 Rev B which shows the proposed wall as rebuilt and note the existing shed that has been built up against the

wall. I note the most recent plans U014.3a.3.003 Rev b which clarifies that this small lean to shed is to remain and as such the extent of demolition has been clarified.

I note the details in respect of the wall to be rebuilt and I can confirm that I would raise no objections to the proposal. I would however recommend the following conditions.

The development shall be undertaken strictly in accordance with the amended plans drawing numbers; U014.3a.3.007 Rev B and U014.3a.3.003 Rev b.

Reason: For the avoidance of doubt as to the approved plans.

As much of the original stone shall be salvaged as possible and any deficit shall be made up using new or good quality second hand stone to exactly match the original in terms of geology, colour, finish and size. New stonework shall be laid to exactly match the original bond and joint size, and all stone shall be laid in the bedding plain. Re-pointing shall be kept to the minimum structurally necessary and mortar joints shall be carefully raked out by hand. The use of a mechanical disc cutter or grinder is not acceptable for removal of mortar.

Reason: To safeguard the character and appearance of this grade II listed building in accordance with national legislation policy and guidance and policy SP7 of the Powys Local Development Plan.

The stonework shall be laid using a mortar mix which is slightly weaker than the bricks/stone, and which contains washed, well graded sharp sand and lime (lime putty or weak hydraulic lime, not hydrated lime). Details of the exact mix shall be submitted to and approved by the Local Planning Authority prior to the commencement of the work. The mortar shall match the colour and texture of the original mortar before weathering. The use of cement, proprietary coloured mixes or colouring additives is not acceptable. In certain circumstances new mortar may be required to be matched from samples of original mortar.

Reason: To safeguard the character and appearance of this grade II listed building in accordance with national legislation policy and guidance and policy SP7 of the Powys Local Development Plan.

The demolition of any part of the curtilage listed wall identified on application 20/1142/LBC shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals which have received planning permission and all prior to works commencing conditions attached to 20/1354/FUL having been discharged. The Local Planning Authority shall be advised as to the completion of such a contract prior to any demolition taking place. The written approval of the phasing and timing of works to the rebuilding of the wall shall be



secured before any part of the demolition hereby approved first commences. All works shall then be carried out in accordance with the approved timetable, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Pursuant to section 74 and section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Prior to any work being undertaken in pursuance of the consent to demolish any part of the building, details shall be submitted to and approved in writing by the Local Planning Authority of any works to be undertaken during the progress of the development hereby permitted to secure the safety and stability of that part of the building which is to be retained in accordance with any terms of conditions of this consent.

Reason: To minimise the risk of damage to the elements of the building to be retained, and pursuant to section 74 and section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

20/1354/FUL Erection of 1 no. residential dwelling and construction of vehicular access and parking Oldford Cottage, Oldford Lane, Welshpool, SY21 7TE

I note that the application is a resubmission of application 20/0102/FUL for which I raised objections on;

- 1.The Heritage Impact Statement did not address stages 2,3 or 4 of the Setting Assessment laid out in Welsh Government guidance in lines with section 1.26 of TAN24.
- 2.The impact on the Character or Appearance of the Welshpool Conservation Area.
- 3.The Design of the Proposed dwelling in line with LDP Policy DM13.
- 4.The setting of Oldford Cottage Cadw ID 7825

I note the Heritage Impact Assessment by Richard Morris that has been produced and would not disagree with his findings in respect of the setting of historic assets.

I previously raised some concerns with the design and requested amendments and I note that they have been taken on board in this latest submission, most notably the reduction in ridge line and the introduction of true dormers and changes to the fenestration that faces Oldford Cottage.

Given the differences in height and the fact that only one elevation will be visible from Oldford Lane, I would not raise objections to the proposed dwelling in terms of design.

However that is not to say that there would be no harm to the setting of Oldford Cottage

by the proposed development. Previously the car parking adjacent to Oldford Cottage were three spaces to serve Oldford Cottage only with an element of landscaping adjacent to the existing wall.

However the current proposal, presumably to remove the proposed car parking spaces for the new dwelling have also been moved to this location. This would result in an expanse of car parking visible from Oldford Lane. It is considered that this will have an impact on the setting of the listed building, however this could be mitigated against with appropriate materials. The use of paviers or similar would not be considered appropriate being a modern suburban character and grass crete, gravel or similar being preferred. I would be grateful if this could be conditioned.

I would raise no objections to the proposal, however would request that the standard conditions in respect of materials including windows be attached and in addition full details of the hard landscaping that is the car parking surface to be conditioned.

Welshpool Town Council

20th Aug 2020

RESOLVED that Members objected to this application for the following reasons:

- i) That the stone wall should be restored to its condition of a few years ago noting that the wall, which has lost approximately 3 courses of stonework over the past few years is of significant heritage value
- ii) That the Town Council oppose any alteration to the stone wall that would allow access for a new dwelling - they object to the building of a new dwelling that has access via Oldford Lane or Oldford Close
- iii) The narrow lane cannot sustain a second dwelling
- iv) Parking is identified on the supporting documents. There is no room for parking on the narrow lane. This is evident from the damage to the lane caused over the past few years, by inconsiderate parking and use adjacent at Oldford Cottage. It may be noted that previous residents have always parked in the car park where there is a garden gate into the property

Ward Councillor – Cllr Pritchard

10th Sep 2020

Can you please be aware that I have asked for the applications on this site to be called in and considered by committee on ground of Highways dangers, and Listed Building considerations.

Thank you for the consultation on the above applications for works at Oldfield Cottage, Welshpool. Mark Walters had provided advice on the previous applications at the site requesting that a setting impact assessment was undertaken for the proposed works. This has now been completed by Richard K Morriss & Associates and we broadly agree that there will be no harm to the character or significance of the listed building, or to the significance of its setting. Furthermore, there are not considered to be any archaeological impacts for the proposals.

With regards the application for listed building consent, you should also contact the Built Heritage Conservation Officer Debra Lewis.

### **Representations**

Following the display of a site notice on 10/09/2020 and a press notice published on 14/08/2020, a total of 85 public representations have been received at the time of writing this report. A summary of the comments received is provided below;

- The use of the lane is very important for local residents
- Parking on the lane would block people using mobility scooters, wheelchairs and pushchairs from using the route
- The lane is not in a well-maintained state and is often muddy
- An additional vehicular access on the lane will increase conflict between pedestrians and cars
- The access onto Berriew Street is narrow and inadequate
- The lane is an historic route from the town to the Powis Estate, and the wall forms a part of that heritage
- The proposed development would be unsafe
- Access to the site could be gained from the Berriew Street Car Park

### **Planning History**

<b>App Ref</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
20/0102/FUL	Erection of a dwelling, creation of vehicular access and parking and all associated works	Refused	1 <sup>st</sup> Jun 2020
20/0103/CAC	Conservation area consent for the demolition of a wall and fence	Application Withdrawn	10th Jul 2020
20/1354/FUL	Erection of 1 no. residential dwelling and construction of	Pending Consideration	

vehicular access and parking

### Principal Planning Constraints

- Site partially within Welshpool Conservation Area
- Grade II Listed Building
- Public Right of Way C1 – along Oldford Lane
- Outside of, but adjacent to C2 Flood Zone
- Montgomery Canal SSSI & SAC – approx. 180 metres south-east
- Bron y Buckley Wood SSSI – approx. 600 metres north-west

### Principal Planning Policies

Policy	Policy Description	Year	Local Plan
PPW	Planning Policy Wales (Edition 10, December 2018)		National Policy
TAN5	Nature Conservation and Planning		National Policy
TAN11	Noise		National Policy
TAN12	Design		National Policy
TAN18	Transport		National Policy
TAN24	The Historic Environment		National Policy
SP1	Housing Growth		Local Development Plan 2011-2026
SP5	Settlement Hierarchy		Local Development Plan 2011-2026
SP6	Distribution of Growth across the Settlement Hierarchy		Local Development Plan 2011-2026
SP7	Safeguarding of Strategic Resources and Assets		Local Development Plan 2011-2026
DM2	The Natural Environment		Local Development Plan 2011-2026
DM4	Landscape		Local Development

		Plan 2011-2026
DM13	Design and Resources	Local Development Plan 2011-2026
T1	Travel, Traffic and Transport Infrastructure	Local Development Plan 2011-2026
H1	Housing Development Proposals	Local Development Plan 2011-2026
H3	Housing Delivery	Local Development Plan 2011-2026
SPGBIO	Biodiversity and Geodiversity SPG	Local Development Plan 2011-2026
SPGRES	Residential Design SPG	Local Development Plan 2011-2026
SPGCON	Conservation Areas SPG	Local Development Plan 2011-2026

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

Marine and Coastal Access Act 2009

Planning (Listed Buildings and Conservation Areas) Act 1990

### **Officer Appraisal**

#### Site Location & Description of Development

The application site is located within the Town Council area and settlement development boundary for Welshpool, which is identified as a 'Town' by Policy SP5 of the adopted Powys Local Development Plan (2011-2026). The site comprises a portion of the existing garden area serving Oldford Cottage, which is a Grade II Listed Building

(CADW reference: 7825), and which is accessed via the unadopted Oldford Lane, which is also a public footpath. The site is located immediately to the north of the housing estate known as Oldford, to the immediate west of the Poundland store, and to the south and south-east of Berriew Street public car park. The site is partially located within Welshpool Conservation Area.

This application seeks Listed Building Consent for the partial demolition of an existing stone boundary wall fronting onto Oldford Lane, including a concrete post and a fence. It is noted that part of the wall has collapsed, and a fence has been erected atop the collapsed wall. The proposal is to demolish a section of the wall and to rebuild the remaining wall where it has collapsed. The section of wall proposed to be demolished measures approximately 5.85 metres in length, whilst the remaining section, which is to be repaired and rebuilt, measures approximately 8.55 metres in length. The section to remain would be rebuilt up to a height of approximately 2.1 metres using reclaimed stone from the demolished section, to be bonded with lime mortar. Stone-on-edge detailing would sit atop the wall. An existing small lean-to shed, which is attached to the wall, would be retained as part of the development.

It should be noted that the proposed demolition of a section of the existing wall has been proposed in conjunction with the proposed construction of a new detached dwelling house within the garden of the adjacent listed Oldford Cottage, which is being assessed separately as part of planning application reference: 20/1354/FUL.

#### Section 38 (6) of the Planning and Compulsory Purchase Act 2004

This application has been considered in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

#### Principle of Development

Policies SP7 and DM13 of the adopted Powys Local Development Plan (2011-2026) and TAN 24 (The Historic Environment) seek to ensure that development proposals do not have an unacceptable adverse impact upon a listed building or the setting of a listed building. Proposals need to be of high-quality design and use materials that are in-keeping with the character and appearance of the listed building and of the surrounding area.

Listed Building Consent is sought for the proposed partial demolition of the existing stone boundary wall which separates the garden at Oldford Cottage from Oldford Lane. Listed Building Consent is required as the wall is considered to be a curtilage listed structure, given its presence within the garden of the Grade II Listed Oldford Cottage (CADW reference: 7825). As noted above, the existing wall is in a poor state of repair and has partially collapsed, with a close boarded timber fence having been erected atop

the wall.

## Built Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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 Barnwell Manor case the Court of Appeal made it clear that in enacting s.66 (1), Parliament had intended that the desirability of preserving the settings of listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carried out the balancing exercise. Therefore, special regard must be given to the desirability of preserving listed buildings and their setting and any harm caused should be given considerable weight within the planning balance.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990, in relation to development proposals within conservation areas, states that, *"special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"*, which is repeated in section 61.14 of Planning Policy Wales (Edition 10) and TAN 24. Further guidance has been provided in TAN 24 and its annexe *Managing Conservation Areas in Wales* which came into effect on 31 May 2017 and advises in section 6.4 that, *"Local planning authorities are involved in the management of conservation areas on a day-to-day basis through their duty to advise on, consider and respond to planning applications for new development. Because Local Planning Authorities must aim to preserve or enhance the character or appearance of conservation areas, they should scrutinise planning applications closely with these objectives in mind."*

Due to the application site being located partially within the Welshpool Conservation Area and being located within the curtilage of a Grade II Listed Building (CADW reference: 7825), consideration has been given to LDP Policies SP7 and DM13 (Criterion 3), and TAN 24 (The Historic Environment). Oldford Cottage was listed on 25<sup>th</sup> April 1950 as a rare surviving and fairly well-preserved exemplar of a timber-framed building within the town, and it is noted the listing was subsequently amended on 29<sup>th</sup> February 1996. The list description for Oldford Cottage states, *"Oldford Cottage is Timber framed with painted brick infill slate roof with brick gable end stacks. Box-framed with regular square panels with some arch bracing. Queen post and cambered collar truss visible in gable end. 2-unit plan with doorway towards centre: a plank door with moulded canopy hood. Flanking windows are small-paned iron casements, with similar windows in gabled dormers above. To the left, an outbuilding extension is timber-framed to the rear, and brick (painted in imitation of timber framing) to the front elevation, with some rubble in gable end. It was probably built as an agricultural outbuilding, though now forms part of the house. Listed as a good surviving example of a typical vernacular*

*timber-framed cottage, unusual in the context of the town, and retaining much of its early character”.*

Initially, the Council’s Built Heritage Officer raised concern in relation to the proposed works, noting that it was not considered that sufficient information had been submitted with the application to fully assess the extent of the works proposed to the wall, and to assess the potential impact upon adjacent listed building and the wider Welshpool Conservation Area. The Built Heritage Officer also considered that the Planning Statement submitted as part of the application did not meet the requirements of a Heritage Impact Assessment, which is something required to be submitted as part of all applications for Listed Building Consent such as this.

However, further information submitted in the form of amended plans and a full Heritage Impact Assessment, undertaken by Richard K Morriss and Associates, has provided clarification on the concerns raised. As such, following the receipt of this further information, the Council’s Built Heritage Officer confirmed no objection to the proposed development, subject to the inclusion of several appropriately worded conditions.

The demolition of a listed building or buildings within a conservation area should be assessed against the criteria identified in TAN 24 (Section 5.15), as follows;

1. *“The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.*
2. *The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.*
3. *The merit of the alternative proposal for the site, including where the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.”*

It is not considered that Criteria 2 and 3, above, are of relevance in the determination of this application. However the Built Heritage Officer notes, in respect of Criterion 1, that the existing wall has fallen into a poor state of repair and is in a state of partial collapse. As a consequence, whilst noting a section of the wall is proposed to be demolished to facilitate a new access into the application site, the majority of the existing wall would be retained, repaired and rebuilt. As a consequence, the Built Heritage Officer considers the proposal would be acceptable in that the legibility of the wall would be better understood with a wall more akin to its original size, with an easy to read access point, compared to the wall in its current state, which has partially collapsed. Indeed, the section of wall to remain, closest to Oldford Cottage, would be rebuilt up to a height of approximately 2.1 metres above ground-level, which is taller than the existing wall in its current condition. The Built Heritage Officer notes this increase in height, and points-out that the raised height would be more akin to the original height of the wall, whilst it also accommodates the retention of an existing attached small lean-to outbuilding, which is



to be retained as part of the development.

Further information submitted during the course of the application confirms that reclaimed stone from the demolished section would be used to repair and rebuild the sections to be retained, and the repaired wall would be bonded with lime mortar. Stone-on-edge detailing would sit atop the wall. The Built Heritage Officer has no objection to these details.

The Built Heritage Officer has recommended that a number of suitably worded conditions are attached to any consent granted, and having reviewed these, officers consider they are reasonable and necessary.

In addition, CPAT have been consulted on the proposed development, and have confirmed they broadly agree with the conclusions of the submitted HIA, whilst also confirming that there are not considered to be any archaeological impacts for the proposed development.

### Conclusion

It is considered the initial concerns raised by the Council's Built Heritage Officer have been overcome with the submission of further information during the course of the application, and this further information will be included in the list of conditions attached to any consent granted.

Whilst the concerns of the Local Member and those raised within the public representations have been fully considered, in-line with the comments provided by the Built Heritage Officer, officers consider that the proposal would result in an enhancement of the existing wall, given that a large section is to be retained, repaired and rebuilt. It is considered the proposal would therefore secure the future of the wall, which is currently in a state of decline. Furthermore, officers note that many of the points raised within the public representations relate to the development subject of application reference 20/1354/FUL, which is being assessed separately.

In concluding the assessment, the Built Heritage Officer has confirmed no objection to the proposal, in-line with the further information submitted and subject to the inclusion of several appropriately worded conditions. Overall therefore, officers consider the development would be acceptable and would not adversely affect or harm the character or setting of the Grade II Listed Oldford Cottage, nor the wider Welshpool Conservation Area. The proposal is therefore considered by officers to comply with the requirements of TAN 24 and its annexes together with policies SP7 and DM13 of the Powys Local Development Plan (2011-2026).

### **RECOMMENDATION – Conditional Consent – Refer to CADW**

In light of the above assessment, officers consider the proposed development

fundamentally complies with relevant planning policy and the recommendation is therefore one of conditional consent.

## Conditions

1. The works hereby permitted shall begin no later than five years from the date of this decision.
2. The development shall be carried out strictly in accordance with the following approved plans and documents:

Application Form;

U014.3a.3.300 – Location Plan – Wall;

U014.3a.3.301 REV A – Block Plans – Wall;

U014.3a.3.005 REV B – Existing Stone Wall;

U014.3a.3.007 REV B – Proposed Stone Wall;

U014.3a.3.003 REV E – Proposed Site Plan;

Heritage Impact Assessment, Dated: October 2020, By: Richard K Morriss & Associates;

Planning Statement, Ref: U014 REV B, Dated: August 2020, By: Hughes Architects;

3. As much of the original stone shall be salvaged as possible and any deficit shall be made up using new or good quality second-hand stone to exactly match the original in terms of geology, colour, finish and size. New stonework shall be laid to exactly match the original bond and joint size, and all stone shall be laid in the bedding plain. Re-pointing shall be kept to the minimum structurally necessary and mortar joints shall be carefully raked out by hand. The use of a mechanical disc cutter or grinder is not acceptable for removal of mortar.
4. The stonework shall be laid using a mortar mix which is slightly weaker than the bricks/stone, and which contains washed, well graded sharp sand and lime (lime putty or weak hydraulic lime, not hydrated lime). Details of the exact mix shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the work. The mortar shall match the colour and texture of the original mortar before weathering. The use of cement, proprietary coloured mixes or colouring additives is not acceptable. In certain circumstances new mortar may be required to be matched from samples of original mortar.
5. The demolition of any part of the curtilage listed wall identified on application 20/1142/LBC shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals which have received planning permission and all pre-commencement conditions attached to 20/1354/FUL having been discharged. The Local Planning Authority shall be advised as to the completion of such a contract prior to any

demolition taking place. The written approval of the phasing and timing of works to the rebuilding of the wall shall be secured before any part of the demolition hereby approved first commences. All works shall then be carried out in accordance with the approved timetable, unless otherwise agreed in writing by the Local Planning Authority.

6. Prior to any work being undertaken in pursuance of the consent to demolish any part of the building, details shall be submitted to and approved in writing by the Local Planning Authority of any works to be undertaken during the progress of the development hereby permitted to secure the safety and stability of that part of the building which is to be retained in accordance with any terms of conditions of this consent.

## **Reasons**

1. To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. To ensure adherence to the plans approved by the Local Planning Authority in the interests of clarity and a satisfactory development.
3. To safeguard the character and appearance of this Grade II Listed building in accordance with national legislation, policy and guidance and Policy SP7 of the Powys Local Development Plan.
4. To safeguard the character and appearance of this Grade II Listed building in accordance with national legislation, policy and guidance and Policy SP7 of the Powys Local Development Plan.
5. Pursuant to Section 74 and section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
6. To minimise the risk of damage to the elements of the building to be retained, and pursuant to Section 74 and Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990.