DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0740/23/LBC
Proposal: Replace existing bay window with similar
Location: 4-5 Mansion House
West Boldon
NE36 0QW

Site Visit Made: 05/12/2023

Relevant policies/SPDs

1 DM1 - Management of Development
2 DM6 - Heritage Assets and Archaeology
3 SPD9 - Householder Developments
4 SPD11 - West Boldon Conservation Area Management Plan - Adopted August 2007
5 SPD21 - Locally Significant Heritage Assets

Description of the site and of the proposals

Listed building consent is sought for the replacement of a bay window on the side elevation of 4-5 Manion House, West Boldon. Following consultation with the Historic Environment Officer the scheme has been amended, with revised drawings being received on 06/12/2023, which confirmed finer details of the scheme.

The application dwelling forms part of a Grade II Listed building which was sub-divided into 5 houses. The application site compromises and end of terrace dwelling. The list entry summary states the following:

House and wings now 5 separate dwellings. Late C18/early C19. Main house : coursed squared limestone with ashlar sandstone porch; Welsh slate roof. 2 storeys, 5 windows originally but 2 late C19 windows and doors inserted in 2nd bay. Square, one-storey porch, 2nd bay from right, has open-pedimented Tuscan doorcase with 8-panelled door and decorated round fanlight in deep reveal panelled in same style as door; margined sashes in side walls; dentilled cornice and blocking course. low-pitched roof to house has wide eaves, 3 transverse chimneys. Wing to west : rendered; 2 storeys, 1 window, door; flat roof. Wing to east at rear : ashlar with canted bay window, brick return; pantiled hipped roof.

Application details state that the proposed works would replace the existing single glazed windows as the existing windows are failing. Repairs would be undertaken to the base of the bay window and the roof covering. The replacement windows would be wooden frames with no alterations to the size of the apertures into which they fit. The design of the windows would be timber sliding sashes without glazing bars or horns. The windows would include double glazed glass. There would be no alteration to the overall external appearance of the building.

The applicant has supported their submission with photographs of the bay window which shows it in a poor state, with the works required being urgently needed.

It should be noted that as well as being a listed building, the application dwelling is also located within the West Boldon Conservation Area.

The West Boldon Conservation Area Character Appraisal states that the application site 'is one of the largest original houses in West Boldon…. Its grandeur is still seen in the south and east elevations (despite its sub-division 5 dwellings(., and the deep eaves, impressive porch and rich Tuscan doorcase and fanlight add interest and intricacy to the street. The rear elevation also has original windows and features. Its grounds and setting have not fares so well. The various outhouses and the gates drive to

the west went with the clearance of St Nicholas Terrace, the garage block behind chopped aways its thickly shrouded gardens.'

Publicity / Consultations

Neighbour notification expiry date 28/11/2023
Site notice expiry date 05/12/2023
Press notice expiry date 13/12/2023

1) **Neighbour responses -** None received

2) Other Consultee responses

Historic Environment Officer

Initial comments:

Whilst the Heritage Statement does not contain detailed information, a number of pre-application discussions have taken place with the applicant and I appreciate the work needed is fairly urgent. The proposal is isolated to the replacement of defective bay windows to the side elevation and repairs to the bay roof. The applicant has subsequently provided a number of photos, which are very useful.

It is clear that the existing windows are in such poor condition that they cannot be salvaged and in any case they are not considered to be original to the property. It is proposed that they are replaced with double glazed timber sliding sash windows without glazing bars.

We do not have any photographic evidence to indicate what the window design was at the point of Listing and whilst it is likely they would have originally been timber sliding sash windows, we cannot be certain what the design was. The existing windows are multi-paned casements which are not in keeping with the property and I am of the view that the proposed sash windows would in fact enhance the Listed Building.

I would ask for written confirmation that the following recommendations will be taken onboard:
- The fascia should be hardwood, not UPVC.
- The manufacturer of the windows should exclude the horns (or 'tusks') that are shown on the drawing.
- Every effort be made to salvage the existing slates, albeit I appreciate that a proportion will be damaged and will need to be replaced on a like-for-like basis.
- Any new flashing should be in lead to the correct building regulations standards.

However, I am generally supportive of the proposal.

Internally, the bay ceiling appears to be a modern plasterboard and I am happy for the repair to be on a like-for-like basis.

Following amended drawings received on 06/12/2023 the following comments were received:

I am satisfied with the amended drawings relating to the application.

Assessment

The main issues to consider in the assessment of this application are:

- Whether the proposed works to the windows (described above) would preserve or enhance the historic, architectural character and heritage, and visual appearance of the Grade II listed building.
- Impact of the proposal on the character and appearance of the Westoe Conservation Area (including impact on visual amenity) and adjacent heritage assets, including listed buildings.
- Impact on the amenities of the occupiers of neighbouring properties.

The National Planning Policy Framework states that heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance.

NPPF further outlines that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimize conflict between the heritage asset's conservation and any aspect of the proposal.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

Planning Practice Guidance elaborates further in that significance is the value of a heritage asset to this and future generations because of its heritage interest.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building is used to describe all or part of the identified heritage asset's significance.

For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed.

Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm. What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant permission for development which affects a listed building or its setting, the local planning authority 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.

Furthermore, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Local Development Framework (LDF) Policy DM6 'Heritage Assets and Archaeology' seeks to protect, preserve and enhance the Borough's heritage assets and their settings, including Conservation Areas and non-listed buildings and structures included on the Council's list of locally significant heritage assets.

Within Supplementary Planning Document 11 'West Boldon Conservation Area Management Plan'' the conservation area set out character areas within the wider conservation area of which Mansion House is located within the 'The Folly' Character area which after the historic core, the probably the oldest part of the village. Specifically in relation to Mansion House, the Conservation Area management plan highlights

features of interest including the original sash windows, overhanging eaves, original boundary treatments and natural slate roof.

Westoe Conservation Area Management Plan' *the conservation area is described as containing a remarkable collection of eighteenth and nineteenth century houses, in a green tree-filled setting with clear rural medieval origins*.'

SPD11 ' West Boldon Conservation Area Management Plan' proceeds to state that *' The size and shape of window opening, window frame details, arrangement and detail of glazing bars, and the method of opening are important characteristics of a historic building or area…Wherever possible, original windows should be retained and repaired. Improved heat and sound insulation can be achieved in unobtrusive ways by draft-proofing and soundproofing measures, rather than replacement of the original window. When necessary, replacement or repaired windows should accurately replicate the size and shape of original timber frames and glazing bars in all respects.*"

In addition to the property being a listed building, as detailed above, the application site is located within a conservation area and within close proximity to a number of additional listed buildings. As such, an assessment of significance of the heritage asset has also been undertaken for its location within the conservation area. SPD21 states that *'there is a risk that repairs and improvements can reduce architectural or heritage value of a property and any work should be sympathetic to the age, style and character of the building*.'

The Councils Historic Environment Officer was consulted on the application. Upon its first submission the Historic Environment Officer was generally supportive of the proposals but sought clarification on a number of details; whether the fascia's would be hardwood timber rather than uPVC, that the windows would not have horns, that roof slates of the bay window would be salvaged and reused where possible and that any new flashing would be of lead. Amended drawings clarifying these details were received on 06/12/2023. The Historic Environment Officer has confirmed that they are supportive of the amended proposals.

The Historic Environment Officer clarified that there is no photographic evidence of the window type when the building was listed but has confirmed that the windows in situ are not original to the property. It has also been advised that it is likely the window would originally have been timber sliding sashes (much like other windows within other elevations of Mansion House and neighbours properties) – although the finer details are unknown. Additionally, it has been advised that the multiple pane casements currently in situ are not considered in keeping with the property.

It is clear from the photographs supporting the application that the current windows are beyond repair and cannot be salvaged. However, given that these are not original windows, it is therefore considered that the proposal would not result in the loss of original/historic fabric. The Historic Environment Officer has advised that replacing the existing single glazed multiple paned casements with double glazed timber sliding sash windows would not cause harm to the building but would in fact enhance this Listed Building. The applicant has provided revised drawings confirming that the works would include a hardwood timber fascia on the bay window, that the replacement sash windows would be without horns (or tusks), that the existing slate roof of the window would be salvaged where possible and that any new flashing would be in lead.

Given all of the above, it is considered that the proposal would not cause harm to this significance of this building but would in fact enhance the building by reinstating a more appropriate style of window within the side elevation.

Overall, it is considered that the proposal would preserve the character and appearance of the West Boldon Conservation Area and conserve the special character of this and adjacent heritage assets and would convey sensitive consideration to its surroundings.

A condition is recommended to require that the proposed works be undertaken in accordance with submitted details. Subject to compliance with this condition it is considered that the proposed works would preserve the historic, architectural character and heritage, and visual appearance of this Grade II listed building and wider conservation area. As such, it is considered that the proposal would accord with the NPPF and the adopted South Tyneside Local Development Framework (LDF) Development Management Policies DM1 (A) and DM6, and the associated Supplementary Planning Document (SPD) 9 'Householder Developments', SPD 10 'Westoe Conservation Area Management Plan' and SPD21 'Locally Significant Heritage Assets'.

Impact on residential amenity

Given the nature of the proposal, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of neighbouring properties in relation to privacy, outlook, over dominance, or overshadowing. It is considered that the proposal would accord with adopted South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD9.

Other matters

At validation, the Council's Countryside officer was consulted on the application and advised that in relation to protected species (namely bats and birds), the application did not require any survey work. It was confirmed that the likelihood of bats being impacted by the proposed work are reduced by a combination of the following reasons:

- Location less likely to be used due to the nature of their construction
- The proposal if for a window replacement

It was advised that informatives be included with any consent granted, as although the risk of bats and birds using the building for roosting/nesting is low, there is still a possibility. As such, informatives are recommended in this regard.

Summary

For the reasons articulated above it is considered that the proposal would accord with development plan policy and so would be an acceptable form of development.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission with Conditions

Conditions

1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

2 The timber framed double glazed windows hereby permitted shall be undertaken in accordance with the Existing and Proposed Plans received 06/12/2023.

To ensure a satisfactory standard of development and to preserve the historic, architectural character and heritage, and visual appearance, of this Grade II listed building, in accordance with adopted South Tyneside LDF Development Management Policies DM1 and DM6.

Informatives

1 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution. Natural England Bat Advice Line: 0345 1300 228

2 Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive, though please note some birds such as pigeons may nest outside of this period. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

List of plans for standard note

Plan Reference

Existing and Proposed Plans received 06/12/2023.

Case officer: Samantha Gallagher
Signed: S Gallagher
Date: 14/12/2023

Authorised Signatory: Helen Lynch
Date: 15/12/2023

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