

## RECONVENED PLANNING COMMITTEE – 30 MARCH 2023

### PART I - DELEGATED

#### 4. **23/0099/LBC - Listed Building Consent: Installation of internal lift at THE OLD VICARAGE, 10 CHURCH STREET, RICKMANSWORTH, HERTFORDSHIRE, WD3 1BS (DCES)**

Parish: Batchworth Community Council  
Expiry of Statutory Period: 28.03.2023

Ward: Rickmansworth Town  
Case Officer: Lauren Edwards

Recommendation: That Listed Building Consent be REFUSED.

Reason for consideration by the Committee: A District Councillor lives within the consultation area.

#### **1 Relevant Planning History**

- 1.1 12/0910/LBC - Listed Building Consent: Change of use of existing offices in The Old Vicarage and Coach House into three residential units. First floor extension over single storey office area. Demolition of single storey outbuilding attached to Coach House and replacement with two storey extension. Internal and external alterations. Minor internal and external alterations to existing residence. Withdrawn.
- 1.2 12/0906/FUL - Change of use of existing offices in The Old Vicarage and Coach House into three residential units. First floor extension over single store office area. Demolition of single storey outbuilding attached to coach house and replacement with two storey extension. Internal and external alterations. Minor internal and external alterations to existing residence. Withdrawn.
- 1.3 12/1370/LBC - Listed Building Consent: Change of use of existing offices in The Old Vicarage and Coach House into three residential units. First floor extension over single storey office area. Demolition of single storey outbuilding attached to Coach House and replacement with two storey extension. Internal and external alterations. Minor internal and external alterations to existing residence. Withdrawn.
- 1.4 12/1841/FUL: Change of use of existing offices in The Old Vicarage and Coach House into three residential units, first floor extension, first floor extension over single storey office area, demolition of single storey outbuilding attached to Coach House and replacement with two storey extension. Internal and external alterations. Minor internal and external alterations to existing residence. Application permitted. Permission implemented.
- 1.5 12/1842/LBC: Listed Building Consent: Change of use of existing offices in The Old Vicarage and Coach House into three residential units. Add first floor extension over existing single storey office. Demolish existing brick store attached to Coach House. Construction of new extension on two floors to Coach House, in similar style to existing. Alterations externally and internally to existing offices and minor alterations to existing residence. Application permitted. Permission implemented.
- 1.6 15/2406/LBC: Listed Building Consent: Internal alterations to coach house to create gallery over the living room, omit second staircase and re-site bathroom; extension to rear dormer; and alterations to fenestration. Application permitted.
- 1.7 15/2580/RSP: Retrospective: Internal alterations to coach house to create gallery over the living room, omit second staircase and re-site bathroom; extension to rear dormer; and alterations to fenestration. Application permitted.

- 1.8 16/1304/FUL - Part Retrospective: Alterations to facade of The Courtyard House and The Stream House including alterations to fenestration; construction of two dormers to front of The Courtyard House; alterations to boundary treatment and access. The movement of the main gates and the modification of the entrance from Church Street – Application permitted and implemented.
- 1.9 16/1306/LBC – Listed Building Consent: Alterations to façade of The Courtyard House and The Stream House including alterations to fenestration; construction of two dormers to front of The Courtyard House; alterations to boundary treatment and access – Application permitted and implemented.

## **2 Description of Application Site**

- 2.1 The application site relates to the Old Vicarage which is a two storey dwelling forming part of a wider collection of buildings at 10 Church Street in Rickmansworth. The application site has an extensive planning history and currently consist of four separate residential dwellings; The Old Vicarage (subject of this application), The Courtyard House, The Coach House and The Stream House, all of which are accessed via Church Street, located within the Rickmansworth Town Centre Conservation. The Conservation Area is mixed in character consisting of varying commercial and residential buildings of varied architectural style. Located to both sides of the site are commercial uses.
- 2.2 The application dwelling is the original dwelling on site and is a Grade II Listed Building The application site is the southern most dwelling within the courtyard of properties. The Steam House and The Courtyard house sit in the northern part of the building. To the south of the site is 12 Church Street which is a two storey building accommodating residential flats.

## **3 Description of Proposed Development**

- 3.1 This application seeks Listed Building Consent for the installation of an internal lift.
- 3.2 The lift would be installed adjacent to the bottom of the staircase and would be facilitated by cutting the existing ceiling such that the lift is able to go up onto the existing first floor landing adjacent to the master bedroom. The lift footprint would measure 1m x 0.8m.
- 3.3 An existing partition has also already been removed at ground floor, opposite the stairs

## **4 Consultation**

### **4.1 Statutory Consultation**

#### **4.1.1 Batchworth Community Council:**

*Batchworth Community Council have no objections or comments in respect of this application.*

*This is subject to suitable wording being included within the decision whereby we seek to ensure that all aspects of the property are being retained and are carefully monitored. All parties (applicant, architect, contractors etc.) are aware of their responsibilities are pre-warned not to go beyond approved plans. We would kindly request that wording to this effect should be included in TRDC's decision.*

*If feasible we would like TRDC Officers to consider a reinstatement clause or personal consent and seek for the removal of the lift as this Listed Building when vacated by the existing owners.*

#### **4.1.2 Conservation Officer: [Objection]**

*This application is for the installation of internal lift. The property is Grade II listed (list entry: 1173498). The property has fifteenth century origins with eighteenth, nineteenth and twentieth century alterations. I understand the need and requirements for an internal lift.*

*However, the proposal would result in the loss of historic fabric, which appears to be eighteenth or nineteenth century in derivation and is therefore harmful to the significance of the listed building. There are other, more appropriate locations for an internal lift that would not result in the loss of historic fabric. For example, within the late twentieth century extension; this fabric is of limited significance and its loss would not detract from the architectural interest and significance of the listed building.*

*The proposals would fail to preserve the special interest of the listed building, contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework the level of harm is considered to be 'less than substantial' as per paragraph 202.*

4.1.3 Herts Archaeology: No response received.

4.1.4 National Grid: No response received.

4.1.5 Landscape Officer: No response received.

4.1.6 National Amenity Society: No response received.

4.1.7 Environment Agency: No response received.

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 31

4.2.2 No of responses received: 0

4.2.3 Site Notice: Expired 28.02.2023                      Press notice: Expired 03.03.2023

## **5 Reason for Delay**

5.1 Not applicable.

## **6 Relevant Planning Policy, Guidance and Legislation**

6.1 S16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

### **6.2 National Planning Policy Framework and National Planning Practice Guidance**

In 2021 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

### 6.3 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include Policy DM3 is relevant.

### 6.4 Other

The Rickmansworth Town Centre Conservation Area Appraisal and Character Assessment (1993).

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

## **7 Planning Analysis**

### 7.1 Impact on Heritage Assets

7.1.1 The NPPF gives great weight to the conservation of heritage assets and requires 'clear and convincing justification for any harm to or loss of significance of a heritage asset. Policy DM3 requires development to preserve or enhance the character and appearance of the Conservation Area.

7.1.2 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote development of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area and conserve and enhance natural and heritage assets.

7.1.3 Policy DM3 of the Development Management Policies LDD (adopted July 2013) sets out that the Council will preserve the District's Listed Buildings and will only support applications where the extension or alteration would not affect a Listed Building's character as a building of special architectural or historic interest or its wider setting.

7.1.4 The original listing describes the following:

*House, now part offices. C15 cross wing, hall rebuilt in early C18, with C18, early to mid C19 and later extensions. Timber framed wing, rendered. Extended in brick, whitewashed. Tile and slate roofs. Cross wing only survives so original plan obscure. 2 storeys and attics. Entrance front: gable to right over cross wing. Ground floor: plank and muntin door with arched head on left with C19 rectangular bay to right with brick and ashlar base incorporating C15 trefoiled, intersecting blind arcade, 10 light timber mullion and transom casement with moulded surround. Jettied first floor with moulded bressumer. First floor 10 light oriel on brackets. 2 light Gothick window to left, leaded panes. 2 light window in gable, exposed purlins and plates. To left of cross wing is renewed hall range with a taller ridge. Roof swept down over 2 bays of 1 storey continuous outshut. Dentilled eaves and stack to front. A small gabled projection from left return of cross wing over hall. Left end to road has large gable with horizontal sliding sashes. 2 storey C19 block and 1 storey C20 addition.*

*To right of cross wing and projecting forward is 2 storey early to mid C19 block. Re-entrant angle has 2 light Gothick windows, leaded panes. Ground floor segmental headed window with hood mould. To front ground floor cast-iron verandah with slim colonnettes and arched braces. Stack to front. Right return or garden front. 3 bays. Ground floor French windows and continuous verandah. First floor sash to left and two 2 light casements, all openings have moulded architraves. Boxed eaves. 2 separate hipped roofs. Main stack is on right side of C15 wing where it joins C19 addition. To rear: 1 bay with verandah on C19 block. C15 wing projects forward with ground floor Gothick windows in a canted bay. First floor 2 light casement and Gothick attic light. An C18 2 storey block projects to rear to right of C15 wing. Ground floor French windows. First floor 2 light casement and horizontal sliding sash. Hipped roof. Interior: hollow chamfered ground floor binding beam, arch braced clasped purlin roof, curved windbraces. (RCHM Typescript: VCH 1908: Pevsner 2.3 The Old Vicarage, The Courtyard House and The Coach House are located within a courtyard style format and are accessed via the same pedestrian and vehicular access from Church Street. The Stream House, is accessed via its own pedestrian access to the south of the main courtyard. The boundary treatment with Church Street consists of a brick wall of approximately 2m in height. There is a gated pedestrian and vehicular access serving the main courtyard and currently a low level pedestrian gate serving The Stream House.*

- 7.1.5 The proposal includes the installation of an internal lift. In order to facilitate this the existing ceiling will need to be cut between the ground and first floor to provide access between the ground floor hallway and first floor landing. The section of ceiling and associated timber which are to be removed are C18 or C19. The loss of such historic fabric would be harmful to the significance of the Listed Building.
- 7.1.6 A site visit was made by the Case Officer and Conservation Officer who observed the area in question including the timbers and ceiling upon temporary removal of a floor board to allow better visual access. From the findings on site together with the desk based assessment, the Conservation Officer has raised an in principle objection to the loss of the identified historic fabric of the Listed Building.
- 7.1.7 Loss of historic fabric would fail to preserve or enhance the significance of the Listed Building contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The resultant loss of historic fabric would result in less than substantial harm within the context of Paragraph 202 of the NPPF. Therefore there is an in principle objection to the loss of historic fabric needed to facilitate the installation and use of the internal lift.
- 7.1.8 In summary the proposal would lead to the removal of historic fabric which would harm the significance of the Listed Building contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would lead to less than substantial harm within the context of Paragraph 202 of the NPPF.
- 7.2 Are there any other material considerations?

- 7.2.1 Officers note that the lift is proposed to assist the current occupier in their access to the upper floors of the building and sympathise with the needs of the individual. However where it is concluded that a proposal has less than substantial harm to a heritage asset the NPPF at paragraph 202 is clear that this harm should be weighed against the public benefits of the proposal. . Whilst the lift would be for the benefit of the current occupier it would not, unfortunately, amount to a public benefit .
- 7.2.2 Nevertheless the current and future needs of the applicant arising from their mobility issues are acknowledged in the overall planning balance and are afforded weight by Officers. However unfortunately the weight attributed to the private benefits of the applicant would not outweigh the identified harm to the historic fabric of the Listed Building.
- 7.2.3 It is also acknowledged that the applicant advises that once the lift is no longer needed it could be removed. However once the historic fabric has been lost it cannot be replaced and therefore the development is not fully reversible. Batchworth Community Council also suggest a personal consent or reinstatement condition. However it is not considered that this would address the fundamental issue as the historic fabric would need to be removed in any event and would not be able to be replaced as currently in situ. As such Officers are of the view that a condition would not address the concerns.

## **8 Recommendation**

- 8.1 That LISTED BUILDING CONSENT BE REFUSED for the following reason:
- R1 The installation of the internal lift would lead to the removal of historic fabric which would harm the significance of the Listed Building contrary to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal would lead to less than substantial harm within the context of Paragraph 202 of the NPPF. Whilst the benefits of the lift are acknowledged, it is not considered that the benefits outweigh the harm to the heritage asset. Additionally, no public benefits have been demonstrated to outweigh the identified harm. The development would be contrary to Policy CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013) and the NPPF (2021).