

CHESHIRE EAST COUNCIL

Cabinet Member for Strategic Communities

Date of Meeting:	7 th October 2013
Report of:	David Hallam, Principal Conservation and Design Officer
Subject/Title:	Request to remove property from the Local List – Rose Cottage, Wilmslow Road, Mottram St Andrew
Portfolio Holder:	Councillor David Brown

1.0 Report Summary

- 1.1 This report assesses whether Rose Cottage should be removed from the Cheshire East Local List of Historic Buildings (Local List), further to a request by Mr David Armstrong seeking its removal. The request letter is provided as Appendix 1 to this report.
- 1.2 The original justification for inclusion of the building on the Local List is summarised by the properties' description on the Local List:

“Three-bay brick cottage of simple vernacular design, under a steeply pitched plain clay tile roof. Appears on tithe map of 1848. Unusual survival on this road.”

The list entry from the Local List Supplementary Planning Document (SPD) is included as Appendix 2 to this report

In essence, the building was included because of its presence at the site since the mid 1800s (but potentially earlier), evidenced by the Tithe map; it's modest size and scale, set against a backdrop of larger, grander properties in the locality, and lastly, its simple cottage vernacular and character.

- 1.3 Since its inclusion on the Local List a number of events have resulted in the property being substantially altered, much of which has received planning permission. The works include substantial demolition and re-build of the cottage, extensions to the building and works within the curtilage (a rebuilding and enlargement of the detached garage and creation of a very formal vehicular entrance).
- 1.4 The net effect of the work undertaken to the building is a substantial erosion of the heritage significance and authenticity of the building. When assessed against the criteria for selection of buildings set out in the Local List SPD, it is considered that Rose Cottage inadequately fulfils the adopted criteria. It should be stressed however that this is a finely balanced case.
- 1.5 It should also be stressed that, if the building is removed from the local list it still retains some heritage significance and would be considered as a non-designated heritage asset, albeit one that no longer adequately meets

the Local Listing criteria. The provisions within the NPPF with regards to the assessment of development proposals upon its historic significance would therefore remain.

2.0 Recommendation(s)

- 2.1 That officers be authorised to remove the property from the Local List because of the extent of the changes that have occurred to the building since its inclusion. This has resulted in substantial erosion of its heritage significance, such that it no longer adequately satisfies the selection criteria set out in the Local List SPD.

3.0 Reasons for Recommendation(s)

- 3.1 A formal request has been made to remove the property from the Local List of Historic Buildings, on the basis that *“the building that now stands on the site of the locally listed Rose Cottage is not the building described on the Local Listing”* (extract from letter by Mr Armstrong dated 1/2/13)
- 3.2 The property has been assessed against the criteria for selection of buildings in the Local List SPD, as detailed later in this report. The assessment concludes that the heritage significance of the building has been substantially eroded by the works and development at the property since its inclusion on the Local List. The cumulative impact of this change is that the property as modified does not adequately meet the selection criteria set out in the Local List SPD.

4.0 Wards Affected

- 4.1 Prestbury

5.0 Local Ward Members

- 5.1 Councillor Finlow

6.0 Policy Implications (including carbon reduction and health)

- 6.1 The Local List SPD was prepared and adopted by Cheshire East Council under the provisions contained in the Town and Country Planning Act 1990, as amended and added to by the Planning and Compensation Act 2004 and the Planning Act 2008. The associated regulations comprise the Town and Country Planning (Local Development) Regulations 2004 (which the SPD was prepared under) but which are now superseded by the Town and Country Planning (Local Planning) Regulations 2012.
- 6.2 The Spatial Planning Team has been consulted and they have advised that the addition or removal of a building does not constitute an actual revision to the Local List Supplementary Planning Document itself, but more that the list of properties is a live list where properties are able to be added and removed without full review.
- 6.3 There are no direct policy implications, except that removal of a building from the Local List under these circumstances could establish a negative precedent in

respect to other assets that are on the Council's Local List (i.e. removal as a consequence of the erosion of character at Rose Cottage could result in this case being cited as a precedent in future similar cases where property owners also seek to remove their properties from the local list).

7.0 Financial Implications (authorised by Director of Finance and Business Services)

7.1 There are no direct costs associated with the report. The administration of the process is being met within the Heritage and Design Team's budget.

8.0 Legal Implications (authorised by Borough Solicitor)

8.1 The legal framework within which the Local List SPD was prepared is set out in section 6.0 above.

8.2 Legal advice about the appropriate route for this decision is that it should be a Portfolio Holder decision. As it is a Local Plan matter, then the appropriate Portfolio Holder would be the member responsible for Spatial Planning.

8.3 There are no direct legal implications associated with the report. However, the issues outlined in relation to the policy implications identified above should be noted.

8.4 This decision should be made taking into account the circumstances of this case. Any future decisions will have to be considered on their own merits.

9.0 Risk Management Implications

9.1 Whilst there are no specific procedures identified in the Local List SPD with regard to considering removal of assets, based upon legal advice, the appropriate mechanism is via the Executive, namely the Portfolio Holder for Spatial Planning.

9.2 It should be noted that the case was subject to an internal complaint - COMPLAINT NUMBER SR1003526, relating to the fact that the request to remove the property from the Local list was not considered prior to the determination of a planning application for an Orangery, reference 12/4834M. However this complaint has now been closed.

10.0 Background and Options

10.1 Statutorily and in the context of the National Planning Policy Framework, local authorities have a responsibility to positively manage the built heritage of their areas and ensure its protection, commensurate with its level of significance. This includes identifying locally important and valued assets and management of the impacts of proposals upon them (i.e. those assets

not worthy of statutory protection but which are considered to hold local significance).

10.2 Local significance is usually recognised by an asset's inclusion on the Local List. The Local List prepared by Cheshire East was adopted in October 2010. Rose Cottage was included on the Local List because it was considered to be of local heritage significance derived from:

- A comparable footprint shown on the tithe map of 1848
- it being one of few surviving small properties within an area characterised by significant detached properties with a more formal character
- its simple vernacular architectural form and detailing

10.4 Prior to recent works at the site, the property consisted of a modest cottage, built in brick, painted white with a sham timber frame painted onto the brickwork. The cottage had a single cat slide dormer on the front elevation and had a steeply pitched plain tile roof with timber guttering. A major aspect of Rose Cottage's heritage significance was its cottage character derived from modest proportions, form and detailing. Although previously altered, these changes reflected the evolution and updating typical of this type of property, without compromising its authenticity as a modest cottage.

Photographs of the cottage at the time of its addition to the Local List, prior to the works are provided as Appendix 3

10.4 As part of a previous planning application, Mr Armstrong commissioned a heritage statement that challenged the heritage significance of Rose Cottage and therefore its worthiness in respect to inclusion on the Local List. This heritage statement is included as Appendix 4. The findings of this statement have been used to substantiate the request to remove Rose Cottage from the Local List.

10.5 There have been a number of applications and works affecting the building since its inclusion on the Local List. These can be summarised as:

- Substantive demolition including taking down the rear elevation, one side elevation and part of the other side elevation (within the gable apex) and removal of the roof and all internal fabric (in effect leaving only part of one gable end and the front elevation intact).
- A 2 storey rear extension with associated excavation to create a sunken rear terrace/patio area
- A single storey lean to on the side of the original part of the cottage,
- Enlargement and adaptation of a garage building, providing ancillary accommodation above
- Erection of a substantial 1.8 - 2 metre high brick entrance gateway and boundary wall with wooden gates

<p><i>criteria for statutory listing</i></p>	<p>N/A</p> <p>Conclusion: the property partially meets this criteria but the authenticity and therefore significance of the heritage asset has been substantially eroded by the changes, albeit that many of them typify local vernacular traditions/details</p>
<p>Historical Associations</p> <ul style="list-style-type: none"> • Associations with local historic events; people; locally or nationally important architects, engineers or designers 	<p>N/A (based on information available)</p>
<p>Display evidence of "Local Distinctiveness"</p> <ul style="list-style-type: none"> • Help define a sense of place and local distinctiveness to individual communities • Reflect traditional functional character of, or former use within the area 	<p>The building is a remnant of smaller cottage type properties that would have been more prevalent in the locality but which over time have been replaced by grander houses. Therefore it does play some part in defining local distinctiveness. However, this association has been diluted by the changes and extensions undertaken to the property</p> <p>The cottage form of the property is a reflection of historic links with the locality, being located within the countryside with strong connections to farming. The footprint of the original part of the cottage, is consistent with that shown on the Tithe map</p> <p>Conclusion: the property partially meets this criterion but its contribution to local distinctiveness and reflecting functional character, or former use in the area has been eroded by the changes that have taken place to the property and the extent of loss of original fabric</p>
<p>Group Value</p> <ul style="list-style-type: none"> • Buildings and or groups of buildings which due to their form, massing and appearance provide a significant contribution to the street scene. 	<p>N/A - it is considered that there is no group value arising from the building</p>
<p>Townscape Value</p> <ul style="list-style-type: none"> • A building that makes a special contribution to the environment of a street or locality by being a characterful, time-honoured or locally valued feature • Being part of a planned layout that has remained substantially 	<p>It could be argued that the building is still characterful and locally valued, despite the degree of alteration that has occurred. However, the property could not be said to be time honoured given the extent of change</p> <p>N/A</p>

<p>intact (for example, a terrace, square, crescent, estate, etc)</p> <ul style="list-style-type: none"> Contribute to the local street scene by virtue of landmark quality, interest as a curiosity or contribution to the quality of recognisable space 	<p>Not considered to be of landmark quality but could be argued to be of interest as a local curiosity, given that it is a modest cottage property situated in an area characterised by larger more formal properties. However, its distinct character has been eroded by the alterations to the property</p> <p>Conclusion: the property partially meets this criterion but its characterfulness and local value have been undermined by the extent of alteration to the property. Its contribution as a local curiosity has also been undermined by the extent of change.</p>
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Assessment against Mr Armstrong's Comments

10.8 Mr Armstrong has highlighted that the building that now stands on the site of the locally listed Rose Cottage is not the building as described on the Local List entry, based on changes to the 5 key elements of significance that formed the basis for the listing.

	Comment
1 It is not a 3 bay brick cottage	<p>The external and internal alterations to the cottage have modified its plan form and appearance to a significant degree, comprising changes to window and door positions, such that it longer retains its original 3 bay form</p>
2 It is not 'of simple vernacular design	<p>The majority of elements of its original, simple vernacular character have been removed or substantially modified, including specific architectural components such as timber guttering and the sham timberwork by the demolition and re-build. The extent of extensions has also eroded aspects of its vernacular form and detailing.</p>
3 It is not (nor ever was) 'under a steeply pitched plain clay tile roof	<p>Certain traditional architectural details and vernacular materials have been employed in the re-construction but they are not original to the building and are more generic (such as using cast rainwater goods)</p>
4 It is not the building that 'appears on tithe map of 1848'	<p>It appears from the photographs of the building form at the time of addition to the local list that it did have a plain tiled roof but these appear to be more recent, mass manufactured tiles as opposed to handmade clay tiles. The roof pitch appears steeper than the replacement slate roof now on the building</p>

<p>5 It is certainly not 'an unusual survival on this road'</p>	<p>At the time of listing, the building was in the approximate location as identified on the Tithe map and it is therefore reasonable to assume that the footprint of the building was constant to that of the mid 1800s. However the works to the building have led to its substantial re-build and extension and therefore it is not wholly the building that was present at the time of the Tithe Map, although remnants of the front and gable do remain in their original position</p> <p>At the time of listing it was an unusual survival of a small rural cottage dwelling. However, the extent of alteration and gentrification of the building, its extensions and the construction of urbanising features such as the walled entrance and gates has increased the grandeur, formality and size of the dwelling, substantially undermining its simple and modest character</p>
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Conclusions

- 10.8 The impact of the works to Rose Cottage has resulted in substantial alteration, eroding its authenticity and heritage significance. The extent of demolition also means that a relatively small amount of the original fabric of the building remains insitu. Its setting has also been adversely affected by the enlargement and modification of the garage but more considerably by the design and height of the front wall and gateway, which creates a very formal entrance for such an unassuming property.
- 10.9 There is still some heritage merit associated with the building, given the remaining original structure on the gable and front elevation, the correlation of the footprint of the front part of the building to that on the Tithe map and aspects of the alterations, in particular the use of natural slate on the roof. Consequently, certain of the selection criteria are partially met by the building in its present form.
- 10.10 To conclude, having regard to the above, it is stressed that this is a finely balanced case. However, taking all factors into consideration, it is concluded that the balance tips in favour of removing the building from the Local List due to it no longer adequately meeting the selection criteria set out in the Local List SPD. It is therefore recommended that Rose Cottage should be removed from the local list.
- 10.11 It should be noted however, that removal from the Local List does not mean that the building no longer maintains any heritage significance, it just means that in terms of the Local Listing Criteria, the changes have undermined its continued inclusion on the list. In the context of the NPPF it is still considered to be a non designated heritage asset and therefore the provisions in terms of assessing the impact and acceptability of development continue to apply.

10.12 Furthermore, it should also be stressed that whilst each case should be assessed on its merits, this case should be seen as wholly exceptional and not a precedent for de-listing in the future.

11.0 Access to Information

Appendix 1 - Letter from Mr Armstrong requesting to de-list the property

Appendix 2 - Local list entry

Appendix 3 –Photographs at time of inclusion on Local List

Appendix 4 – Heritage statement commissioned by Mr Armstrong

Appendix 5 – Photographs of demolition and present day character

The background papers relating to this report can be inspected by contacting the report writer:

Name: David Hallam

Designation: Principal Conservation and Design Officer

Tel No: 01625 (3)83733

Email: david.hallam@cheshireeast.gov.uk