

Our Ref: KS/hbg/24002_S19

22 February 2024

Planning Department
East Hertfordshire District Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

Planning Portal reference: PP-12774767

Dear Sir/Madam

Section 19 Application: Listed Building Consent 22/02497/LBC
The Old Rectory, Church Road, Eversley, Hook, Hampshire RG27 0PX

I write further to the approval of Listed Building Consent (ref: 22/02497/LBC) at The Old Rectory, Eversley on 5 May 2023 and enclose an application under S.19 of the Planning (Listed Buildings and Conservation Areas) Act 1991 (as amended) seeking to vary Conditions 2 (window details), 3 (materials) and 4 (plasterboard etc) and remove Condition 5 (cleaning of fabric).

Background

A serious fire occurred at the Application Property in January 2022. Following this, initial engagement was undertaken with the Conservation Officer via a site meeting on 7 February 2022 to agree the extent of fire damage clearance, debris removal and making safe work and approach to an application for restoration.

In October 2022 an application for Full Planning and Listed Building Consent for 'fire damage reinstatement' was submitted and registered under the application refs. 22/02497/LBC and 22/02496/HOU.

Planning permission was granted following a 7-month determination period in May 2023. Rather impractically, a number of pre-commencement conditions were imposed to the permissions when details should have been secured as .

During this time, tradesmen were put on standby to be able to start restoration works as soon as the requisite permission had been granted in order to prevent further damage or deterioration to the building. Despite submissions being duly made, some works were undertaken prior to the discharge of the pre-commencement and pre-installation conditions attached to the permission.

The LPA has confirmed that some details requiring agreement with the LPA are acceptable, however, is requesting that an application to vary the wording of the



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relevant conditions is submitted given the submission triggers for these details have not been met.

This application re-provides all information confirmed as part of conditional submissions to be acceptable and varies the conditions to make them compliance conditions for these details. Further information is also submitted in respect of other outstanding conditional matters.

Documents submitted as part of the application are as follows:

- Condition 2 (windows) – W5 Replacement Details 21.11.23
- Condition 3 (materials) – Mortar details including sample photo, roof tile details, and lath & daub details.
- Condition 4 (internal works) – Details as set out in the 'Internal work details'.

Condition Variation Matters

A full Schedule of Condition Variations is provided as a separate Annex 1 to this letter. However, the rationale for the condition amends is set out below.

Condition 1 – Time Limit

For completeness the time limit for implementation is updated to be three years from the grant of the original permission on 5 May 2023, but as the development has been commenced, this condition has been satisfied in any event.

Condition 2 – Window Details

Within the original application, it was thought that window W5 and W11 were to be replaced. An assumption was made about window W11, due to unsafe access at survey stage post-fire, that it was timber framed and likely damaged beyond repair from the fire. However, following safe access it has been established that the window remains. It is a Crittall window and is to be maintained in situ with only replacement (Cylinder glass) to be fitted and decorated. Details of this window accompany this submission.

On 21 December 2023, the Conservation Officer confirmed that the submitted window details under application 23/02124/CON are considered acceptable and that a discharge of condition is therefore recommended. These works have now been undertaken and so the condition is re-worded as a compliance condition.

This condition also required that before works to retained windows begins details shall be approved for measures to secure and protect the windows during the building work, particularly the historic window glass. It is considered unnecessary to provide details of measures to protect retained windows and that this condition would be equally as effective if worded as a compliance condition.

Condition 3 – Materials

Condition 3 requires details of bricks, mortar, new roof tiles and internal lath and daub. Details have been agreed for most of these but given the trigger has been missed, these details are now re-provided with this application to enable the condition to be amended to be a compliance condition.

Bricks: No new bricks are to be used, all brick work is to be undertaken with original bricks from the Application site re-used. Reference to bricks should therefore be removed from the condition.

Mortar: On 5 September 2023 the Conservation Officer stated under application 22/02497/CON that *"The proposed use of NHL 3.5 on the site [sic] elevation, NHL 5 for the flaunching and NHL 2 for the front elevation would be acceptable in this instance"* but not the colour sample as *"The proposed pointing finish should match the brickwork on the elevation on which it is applied due to the varieties present on the building"*. Given the variance, it would be more pragmatic for the Applicant to simply commit to any installed mortar to be colour matched to the existing brickwork on the elevation it is applied and that it will have a wire brush finish. However, a new mortar colour sample has been sent to the LPA for approval, photos of this sample are submitted with this application.

Roof tiles: On the 21 December 2023, the Conservation Officer confirmed that the proposed use of 35% Medium Antique, 25% Red Antique, 25% Jubilee and 15% Sussex Red manufactured by Tudor Tiles laid as per the consented drawings, would be acceptable (under LPA Ref. 23/01694/CON). These details are re-provided.

Lath & Daub: Application 23/02124/CON included details of the lath and daub replacement, these were confirmed to be satisfactory on 3 November 2023 but were withdrawn to allow for the potential for the window details, for which the condition trigger had not been engaged, to be discharged. These details are re-provided with this application.

The submitted details demonstrate that all material details are satisfied.

Condition 4 – Insulation, Plaster/ Plasterboard

Revised details were submitted under application 23/02293/CON, an initial response from the Conservation Officer on 3 November 2023 states that:

"The proposed use of Isolena Premium insulation and Steico Therm Wood Fibre insulation would be considered acceptable in this instance as they are both breathable and appear adequate for the proposed locations."

However, that: *"The proposed use of vapour control plasterboard would not be considered acceptable within the listed building as gypsum plasterboard holds water and is not flexible or breathable. This would not be considered acceptable within a listed building."*

The Applicant confirmed on 20 December 2023 that in the north wing the replacement ceilings would be new lath and 3 coat lime plasterwork. The pre-existing kitchen ceiling was plasterboard, evidenced by a photograph but that it was now proposed to use fire line plasterboard in the kitchen as an improvement but meeting building regulation.

On 8 February 2024, the Conservation Officer responded to confirmed that:

"Further to the conservation comments on the 3rd November, amended details have been submitted for the proposed method and materiality of the ceiling in the North Wing. The new ceiling is proposed to be traditionally constructed using vapour permeable materials and would therefore be considered acceptable from a conservation perspective."

Insulation works are now all complete and the plasterboard fire line ceiling to kitchen is complete. This condition should now either be deleted or converted to a compliance condition.

Condition 5 – Cleaning of Fabric

This condition should never have been imposed. Emergency cleaning works took place before the submission of the planning application to ascertain which timbers were structurally insufficient to be retained. A Soda clean was undertaken for this work, the Application used a specialist contractor to do this (Metric Surveyors have used this company on other Listed Building Fire damage Work). No other timber cleaning has taken place since this initial clean for structural inspection and no further works are required.

Condition 6 – Historic Fabric

This is a compliance condition, and no amendments are proposed. The requirements to make good and repair of historic fabric carried out using hand tools and with traditions breathable materials, which match as closely as possible the original fabric of the building.

Condition 7 – This is a compliance condition, and no amendments are proposed.



Conclusion

This application takes the opportunity to provide all outstanding conditional details for the planning permission to regularise all works for the restoration of the fire damaged asset.

There has been no malicious intent to not comply with the original condition triggers as is evidenced by Discharge of Condition applications being duly submitted in July, August, September and October of 2023. The Applicant has been working to ensure all details are to the LPA's satisfaction and that the fire damaged asset is restored sensitively to its former significance. However, the building was obviously highly vulnerable to further damage and deterioration if some repairs were not able to commence in a timely manner. At the LPA's request, this application seeks to amend conditions so that the Applicant is no longer in breach of the trigger wording, but given all conditional matters are resolved, the conditions have also been re-worded to be compliance conditions.

The Applicant remains committed to bringing the Old Rectory back to its pre-fire significance, and that in reality some elements will be enhanced in terms of the quality of material treatment to that which pre-existed, particularly internally, which is considered to deliver a heritage benefit.

I trust that the above is clear, however should you need any further information, please do not hesitate to contact me.

Kind regards



Kenya Sharland
Associate