

**Case Officer:** Gemma Magnuson

**Recommendation:** Approve

**Applicant:** Mr Alex Pasteur

**Proposal:** Discharge of condition 3 (wall reconstruction method statement) of 20/00404/LB

**Expiry Date:** 7 April 2021

---

## **1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 1.1. Cedar Lodge is a detached Grade II listed dwelling situated to the north of the village of Steeple Aston. The site is in the designated Conservation Area and there are other Grade II listed buildings in close proximity to the site. The site is of archaeological interest and the land is potentially contaminated.
- 1.2. The application relates to a Grade II curtilage section of stone wall along the eastern boundary of the curtilage. The significance arises from its association with Grade II listed Cedar Lodge and its curtilage.
- 1.3. Listed building consent was granted for the demolition and rebuild of a section of the wall on 08 April 2021. This was subject to conditions and the current application seeks to discharge condition 3.

## **2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. Condition 3 required a method statement for the reconstruction of the wall, to include a photographic record of the former wall with measurements, and assessment of how much existing material is capable of re-use, where additional material shall be sourced from, details of the mortar mix, a basic section plan showing the proposed foundations and photographs of a stonework sample panel.
- 2.2. At the time of submission, it is my understanding that the wall had already been demolished without having been recorded as required by condition 3.
- 2.3. A method statement was submitted, explaining that the original stone and ridge tiles would be re-used, including details of the mortar mix. The method for reconstructing the wall was contained within the Design Statement dated 12.02.2020 that was considered as part of the application. The foundations would be constructed using concrete, and a written description of their dimensions and positioning was supplied in the email from the Agent dated 28 April 2021.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:

**Application: 20/00403/F**

Permitted

8 April 2020

Demolition and rebuild of leaning garden wall

Demolition and rebuild of leaning garden wall

#### 4. RESPONSE TO PUBLICITY

- 4.1 This application has been publicised by way of a site notice displayed near the site and by advertisement in the local newspaper. The final date for comments was **5 May 2021**, although comments received after this date and before finalising this report have also been taken into account. No comments have been raised by third parties.

#### 5. RESPONSE TO CONSULTATION

- 5.1. CDC Conservation – Concerns regarding original sample panel. A second panel was constructed and the following response was received:

*The Design Statement accompanying the discharge of condition suggests that the wall was originally of dry stone construction, but interventions over time have caused it to be filled with mortar. Ideally we would want it to return to a dry stone wall which is the original character of the wall. There are potentially safety concerns with rebuilding a drystone wall to this height.*

*The Design Statement also states 'It is proposed to replicate the length, height, and appearance of the existing wall, without the unnecessary face mortar bedding or the overlay of render. The amount of vertical taper will be increased to improve the walls stability. Lime mortar will be used in the reconstruction of the wall.'*

*The submitted sample panel matches the later mortared repair at the edge of the wall, but not the original wall construction.*

*The statement taken from the Design Statement is contradictory as it states the wall will be built 'without the unnecessary face mortar bedding', but that 'lime mortar will be used in the reconstruction of the wall. It is unclear whether this means that mortar was only intended to be used as a bed in the centre of the wall.*

*The Design Statement also states that the vertical taper will be increased to improve the stability of the wall – this is not clear from the submitted sample panel.*

*It is understood that the architect who produced the Design Statement is no longer employed on the project.*

*Unless a drystone wall construction is used (without mortar on the face) it is not possible to replicate the length, the height and the appearance of the existing wall. A decision will need to be made about whether the appearance or the length and height is of greater significance. An alternative would be to get a structural engineer or similar to design a wall that would be able to retain the character, but would have structural stability.*

#### 6. APPRAISAL

- 6.1. It is unfortunate that the exact requirements of this condition have not, and cannot, now be met as the section of wall has already been demolished. However, we have been provided with some photographs of the former wall and I do consider that an

assessment can still be made, particularly since not all of the wall has been removed and so there remains a reference point.

- 6.2. As the Conservation Officer has advised, the wall was originally of dry stone construction although mortar has been added over time. It is my understanding that an entirely dry stone wall of this height could present a risk to safety unless constructed with the necessary internal support.
- 6.3. It is unfortunate that this was not anticipated at application stage and further detail requested. The original submission appears to be contradictory, explaining that the wall would be replicated in height, length and appearance, without unnecessary face mortar bedding or render, although that lime mortar was to be re-used in the reconstruction of the wall.
- 6.4. It has been accepted that mortar was to be used in the reconstruction of the wall as a request was made for the details of the mortar mix as part of the discharge of condition, and I therefore consider it unreasonable to now insist that the wall is of entirely dry stone construction (also bearing in mind that this could actually be unsafe). In my opinion, the point at which a structural engineer should have been consulted and a structurally sound alternative to an entirely dry stone wall designed was at application stage as opposed to now at the discharge of condition stage.
- 6.5. The builder has attempted to replicate the existing sections of wall, that currently contain mortar, and the second sample panel photograph received on 01 April 2021 is considered acceptable for a wall that is to be constructed using mortar.
- 6.6. The significance of this wall was considered at application stage to be its association with Grade II listed Cedar Lodge and its curtilage. Given that the original materials would be re-used, and the original height and position of the wall would be maintained, I consider that the loss of the dry stone construction alone would not result in harm to this identified significance.
- 6.7. Therefore, despite the lack of some of the required detail, I recommend that the condition is discharged.

## **7. RECOMMENDATION**

That Planning Condition 3 of 20/00404/LB be discharged based upon the following:

### Condition 3

Wall to be reconstructed in accordance with application form, Method Statement, Design Statement dated 12.02.2021, photograph of sample panel received 01 April 2021 and foundations in accordance with Agent's email dated 28 April 2021.

Case Officer: Gemma Magnuson

DATE: 28 April 2021

Checked By: Paul Ihringer

DATE: 29/4/21

---