

Appeal Decisions

Site visit made on 26 September 2016

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an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 October 2016

Two Appeals at 7 Faringdon Court, Cholsey Meadows, Oxfordshire OX10 9GB

- The appeals are made by Mr Trevor Bell against the decisions of South Oxfordshire District Council.
 - The development and works proposed are removal of existing window, removal of brickwork below cill and insertion of new doors.
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Appeal A Ref: APP/Q3115/W/16/3151738

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The application Ref P16/S0125/HH, dated 19 January 2016, was refused by notice dated 14 March 2016.
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Appeal B Ref: APP/Q3115/Y/16/3151725

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The application Ref P16/S0126/LB, dated 19 January 2016, was refused by notice dated 14 March 2016.
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Appeals A and B: Decisions

1. The appeals are dismissed.

Preliminary matters

2. The appeal dwelling is part of the 'Fair Mile Hospital' (the listed building), which is listed in Grade II. It is located within grounds that are registered in Grade II in the Register of Historic Parks and Gardens (the garden). The Council has not raised concerns about the effect of the proposal on the garden. From the representations made and from what I saw, I see no reason to disagree.

Main issue

3. The main issue is whether the proposed development and works would preserve the special architectural or historic interest of the listed building.

Reasons

4. The list description describes the listed building as a 'Lunatic Asylum, now hospital'. The late C19 mainly 3-storey building by C H Howell with later additions was converted to, amongst other things, residential apartments in about 2010. Its Victorian style, complex symmetrical plan, robust form, materials and extensive site coverage contribute positively to its special architectural interest, and to its significance as a Victorian asylum building.

5. The appeal site includes the ground floor flat in the south-west wing. The Council says that this wing was one of the best preserved parts of the historic building before its recent conversion. There is only one historic door opening in the south-west elevation of the south-west wing, which gives shared access to some apartments, and there are no more recent doors. The pattern of historic window and door openings in the south-west wall of this wing contributes positively to the significance of the listed building because it allows the character and purpose of the historic asylum building to be appreciated.
6. Due to their scale, form and residential character, the proposed French doors would unacceptably disrupt the historic pattern of openings in the south-west elevation of the south-west wing. Thus, the proposal would harmfully erode the historic character and the significance of the listed building. As the proposal would cause the loss of the existing cill and the brickwork below it, it could also cause a damaging loss of historic fabric.
7. The balance of harm and benefits of the scheme as a whole was assessed when the recent conversion was authorised, so little weight can be attached to the presence of French doors in other parts of the asset. The north-east wing largely reflects the south-west wing, but it is a considerable distance away and it is screened in most views of the south-west wall of the south-west wing by other parts of the building. Also, as the openings in the south-west wing more closely reflect the character of the historic building, the presence of more recent French doors in the north-east wing makes it all the more important to preserve the south-west wing. Whilst the current use is now part of the story of the listed building, it is desirable to preserve its historic institutional character, which is important to its special architectural interest and significance.
8. The *National Planning Policy Framework* (Framework) explains that, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Conservation is defined in the Framework Glossary as the process of maintaining and managing change to a heritage asset in a way that sustains, and where appropriate, enhances its significance. As the proposal would harmfully erode the historic pattern of window and door openings in the south-west wing, it would not sustain or enhance the significance of the asset.
9. The glazed doors in nearby modern buildings are not within historic fabric, so they provide little support for the scheme. The wall and plants by the car park would be insufficient to screen the proposal, and, in any case, the desirability of preserving the asset is not dependent on public access or the ability of the public to experience it. There would be more convenient access to the grounds by the windows of the flat, but this would be a private benefit for its occupiers.
10. In the terms of the Framework, the proposal would cause less than substantial harm to the listed building. The use of this part of the asset would not change, so the proposal would not be necessary to achieve the optimum viable use. Moreover, as almost no public benefits have been put to me, they would not be enough to outweigh the less than substantial harm that the proposal would cause. Furthermore, there is insufficient clear and convincing justification to show why the scheme would be necessary to preserve the asset in a manner appropriate to its significance as a Victorian asylum building.

11. Therefore, I consider that the proposed development and works would fail to preserve the special architectural interest of the listed building. They would be contrary to Policy CSEN3 of the *South Oxfordshire Core Strategy* which seeks to conserve and enhance designated heritage assets for their historic significance, Policy CON3 of the *South Oxfordshire Local Plan 2011* which aims for any alteration to a listed building to respect its established character and to not diminish the special historical or architectural qualities which make it worthy of inclusion on the statutory list, and the Framework, which aims to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
12. For the reasons given above and having regard to all other matters raised, the appeals fail.

Joanna Reid

INSPECTOR