

Appeal Decisions

Site visit made on 8 November 2016

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

Decision date: 21 November 2016

Two Appeals at Rew Street Farm Cottage, Rew Street, Gurnard, Cowes, Isle of Wight PO31 8NS

- The appeals are made by Mr Ian Bayliss against the decisions of Isle of Wight Council.
 - The development and works proposed is new utility and cloakroom to replace existing kitchen, replace existing conservatory with orangery and increase in size, convert existing utility and cloakroom into study.
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Appeal A Ref: APP/P2114/W/16/3149735

- 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 P/00118/16, dated 29 July 2015, was refused by notice dated 5 April 2016.
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Appeal B Ref: APP/P2114/Y/16/3148499

- 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 P/00119/16, dated 29 July 2015, was refused by notice dated 5 April 2016.
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Appeals A and B: Decisions

1. The appeals are dismissed.

Appeals A and B:

Procedural matter

2. The appellant has submitted alternative details for the fenestration of the proposed study and the flat roof. Because they have been subject to public consultation during the appeal process, and because I do not consider that anyone's interests would be prejudiced, I shall take them into account.

Main issue

3. The early C19 'Rew Street Farmhouse' was included in the statutory list in Grade II in 1976. The list description explains that the building includes the adjoining pair of C18 cottages to the west. These cottages are now the single dwelling at Rew Street Farm Cottage (the listed building). With this in mind, the main issue is whether the proposed development and works would preserve the special architectural or historic interest of the listed building or its setting.

Reasons

4. The listed building is a single-storey plus attic pitched-roofed dwelling which is prominently sited next to, and side-on, to Rew Street. It includes an off-centre

rear pitched-roofed outshut, which is nearly as tall as the main range, and a hipped-roofed single-storey lean-to at the back of the outshut. At the back of the listed building there is a stone wall by the boundary between the appeal site and Rew Street (the lane), part of which reduces in height with its distance from the dwelling. The historic form, features and use of mainly traditional building materials contribute positively to the special architectural interest of the listed building, and to its significance as a historic rural dwelling.

5. Within the setting of the listed building there are other Grade II listed buildings including a cow byre/barn and stable/cow shed range. Most have been converted for new uses, and some include extensions. Even so, their historic forms, features and materials largely conserve their character and significance as parts of a historic farmstead group (the group). The Council has not raised concerns about their settings, and I see no reason to disagree.
6. The listed building includes a low-pitched-roofed lean-to conservatory at the back between the boundary wall and the outshut. The conservatory is shallower than the outshut, and its low-pitched roof form broadly reflects the diminishing height of the boundary wall. Due to its low-key form, modest height, fairly shallow depth, and its predominant glazing, the historic form, features and materials of the listed building, including its tiled roof and the roughly west-facing stone wall of the outshut, can be appreciated in views from the back garden and from the lane. The spaciousness in the back garden, beyond the conservatory, and between the boundary wall and the rear outshut is important to the setting of the listed building because it allows the special interest and significance of the heritage asset to be enjoyed.
7. The proposal would replace the existing conservatory with a larger single storey flat-roofed extension, which would be nearly as deep as the outshut and, thus, almost as deep as the main range. The existing kitchen in the main range would be relocated in the extension. The utility room and toilet in the rear lean-to would become a study, and a hall, toilet and utility room would replace the existing kitchen.
8. Most of the extension would be a little lower than the main eaves of the historic dwelling. However, due to its greater depth, box-like form, the increased height of part of the boundary wall, and the solid form of most of its flat roof, the extension would be a bulky and dominant addition. Due to its depth and bulk it would unacceptably erode the important spaciousness between the boundary wall and the outshut, within the setting of the heritage asset.
9. Whilst most of the stonework in the west wall of the outshut would be visible within the kitchen, the extension would almost completely enclose that wall, so the views of the asset from the garden and the lane would be harmfully disrupted. The mostly solid form of the flat roof would also block views of the tiled roof of the historic dwelling that can presently be enjoyed from within and around the conservatory.
10. Also, due to its flat roofed form, the channel, or the flat roof in the alternative detail, by the main eaves would not readily drain rainwater and debris away from the historic building, but could bring them closer to it. Thus, either proposal could lead to maintenance issues in future which could put the historic fabric at risk. The north window in the west wall of the dining room would also be enlarged to form a walk through opening into the kitchen, which would cause a harmful loss of historic fabric.

11. Due to its siting, away from the boundary wall, and due to the lower boundary fencing beyond the end of the boundary wall, the rear lean-to is prominent in views from the garden and the lane. Much of its mainly stone end wall would be replaced by a mostly glazed wall, and a door would be formed in its west wall, although it is not shown on the relevant elevation. Due to the loss of masonry, and the scale and extent of these openings, the high solid to void ratio, which contributes positively to the modest character of the lean-to, would be significantly damaged. The cluttered appearance of the windows and roof lights in the lean-to in the appellant's alternative scheme would also harmfully erode its subservient character. Moreover, the roof lights would unacceptably disrupt its important mainly tiled roof.
12. Whilst part of the boundary wall would be rebuilt, there is no assessment of its contribution to the significance or setting of the asset, or to the settings of the other listed buildings in the group. The scale and nature of that work is also unclear. The boundary wall is also said to have been rebuilt at various times, but there is little evidence about the extent, nature or timing of this. In view of the age of the listed building, its boundary wall may include historic fabric, which could be lost even if the stone were to be re-used. Also, the former cottages predate the main farmhouse. So, a difference in the height and character of the wall that partly encloses their gardens and the coursed stone wall to the north of the shared access to the main farmhouse could reasonably be expected. Thus, in the absence of clear and convincing evidence, it would not be desirable to change the height, form or alignment of the boundary wall.
13. Furthermore, whether it were to be built in random rubble as existing, or coursed stonework as proposed, because part of the boundary wall would be increased in height to form the side wall of the extension, its present organic form and alignment, which are important to the character and setting of the listed building, would be unacceptably eroded. Due to its increased height, the opportunities to see the asset from the public realm, and to enjoy views of its surroundings from inside the historic dwelling, would also be diminished. So, the scheme would fail to better reveal the significance of the heritage asset.
14. As the lane is at a higher level than the garden by the conservatory, and there is a pond on the other side of the lane, the garden would reasonably be expected to become damp or to flood at times. The floor of the conservatory is at a similar level to the nearby part of the garden, so without an appropriate barrier, the existing conservatory would similarly be expected to become damp or flood then also. Whilst the conservatory is considered to be too cold or hot to use for parts of the year, and its flashing has been cut into the stone, subject to obtaining necessary consents, it could be replaced or removed without the need for the harmful proposal in this appeal. Also, as the proposed toilet and utility room would be in a similar place to the kitchen, its drains, which are said to block, would need to be repaired or replaced in any event.
15. In the terms of the *National Planning Policy Framework* (Framework), the proposal would cause less than substantial harm to the significance of the heritage asset. Framework paragraph 134 explains that where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

16. As the use of the asset would not change, its optimum viable use is not relevant here. Whilst the scheme would offer private benefits for the appellant, almost no public benefits have been put to me. So, the public benefits would not be enough to outweigh the less than substantial harm that the proposal would cause. Moreover, insufficient clear and convincing justification has been put to me to show that the proposal would be necessary to preserve the asset in a manner appropriate to its significance as a historic rural dwelling.
17. Therefore, I consider that the proposal would fail to preserve the special architectural interest of the listed building and its setting. It would be contrary to Policy DM 2 of the *Isle of Wight Council Island Plan* (LP) which seeks high quality design and to preserve heritage assets, LP Policy DM11 which aims to conserve heritage assets, 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.
18. For the reasons given above and having regard to all other matters raised, including the support of some nearby occupiers, the appeals fail.

Joanna Reid

INSPECTOR