
Appeal Decision

Site visit made on 9 December 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 04 January 2017

Appeal Ref: APP/K3415/W/16/3154342
21 Main Street, Stonnall, Walsall WS9 9DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Bannister against the decision of Lichfield District Council.
 - The application Ref 15/00050/FUL, dated 3 November 2014, was refused by notice dated 15 June 2016.
 - The development proposed is extensions to provide Orangery, Kitchen and laundry, with additional bathroom above, together with internal alterations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The plans supplied with the appeal did not appear to match those which were listed by the Council on their decision notice. Further plans were therefore requested and supplied just prior to my site visit. Additional plans were provided the following day. I have based my decision upon these plans¹.
3. Details submitted indicate that an application for listed building consent for the proposal was also refused by the Council². For the avoidance of doubt this decision only relates to the appeal lodged against the refusal of planning permission.

Main Issue

4. The main issue in this case is whether the proposal would preserve the special architectural and historical interest of the Grade II listed building.

Reasons

5. No 21 Main Street is located towards the southern end of the village of Stonnall, and is located in a prominent position facing a small green triangle formed by the junctions of Main Street and Lazy Hill. The property is an attractive red brick cottage, stated by the listing to date from the late 18th century with minor mid-19th century alterations. It has a tiled roof with coggled eaves and noticeable verge parapets. To the front, the 2 storey house has four windows set around a central door. To the rear there are two distinctive twin

¹ 1412-2 rev B, date stamped 9 May 2016, 1412-1 rev C, date stamped 5 April 2016, Garage Plans date stamped 5 April 2016, 1412-3 rev A, 1412-4, 1412-5.

² 15/00051/LBC

- gables, with the left hand one having a central chimney stack. The special interest of the house is largely defined by its form, its position in the street scene, and the quality of much of the external detailing of the property.
6. The Local Plan³ was adopted in 2015. Policy BE1 states that development will be permitted where it will have a positive impact on the significance of the historic environment. Policy CP14 states that the significance of listed buildings will be conserved and enhanced and given the highest levels of protection. Policy HP2 of the Neighbourhood Plan⁴ states that listed buildings will be protected, conserved and enhanced. The Planning (Listed Building and Conservation Areas) Act 1990 requires special interest to be given to the desirability of preserving a listed building and any features or architectural interest it possesses.
 7. The proposal seeks to construct a part 2 storey and part single storey extension to the rear of the property, along with a detached double garage and a porch to the front of the house. The extensions would take the form of a wide flat roof single storey extension from the twin gables at the rear of the property, wrapping around on the left hand side, with an existing single storey lean to store demolished and a two storey flat roof extension constructed to create an upstairs family bathroom.
 8. The design of the scheme is modern and would contrast with the simple and traditional detailing of the original property. This is particularly the case with the two storey element, whose flat roof would clash awkwardly with the surrounding pitched roofs of the main dwelling and the adjacent left hand rear gable, where the eaves of the extension would be significantly higher than the adjacent gable eaves. This element of the scheme would jar with the original building and its roofscape, would not be subservient in its design and would also be visible in some angled views from Main Street, causing harm to the significance of the listed building.
 9. The proposal also involves substantial internal works, with a large area of fabric removed to provide two wide openings to the new extension, including the removal of the ground floor extent of the existing rear gable chimney breast, various internal alterations, and the removal of a large area of upper wall to create the bathroom. In total therefore a substantial amount of historic fabric would be removed. This would cause harm to the significance of the listed building. The ground floor works are described as in an area of medium historic significance in a submitted Historic Impact Assessment (HIA)⁵.
 10. The National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above, I consider the proposal would result in harm being caused to the significance of this listed building. However, due to the location and extent of the extensions, I agree with the Council that the degree of harm caused would be less than substantial. I also note in this respect that the HIA

³ Lichfield Local Plan Strategy 2008-2029

⁴ Stonnall Neighbourhood Plan 2014-2029, 2016

⁵ Elm Cottage, 21 Main Street, Stonnall: Heritage Impact Assessment, Heritage Matters November 2014

also concludes that the proposal would cause less than substantial harm. Less than substantial harm does not equate to a less than substantial objection.

11. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. Public benefits are detailed in terms of bringing the building into a habitable state to contribute as a family home, along with the repair works that the proposal will enable. However, the property is being lived in at present and appears therefore superficially habitable, and functions as a dwelling already. It has not been shown that its continued occupation is in anyway dependent on the proposed development or that the scheme is vital to enable repair works to the building. As a consequence, what public benefits there might be are insufficient to outweigh the harm caused.

Conclusion

12. I therefore conclude that that the proposed extension would cause less than substantial harm to the significance of this Grade II listed building, and would not preserve its special architectural or historic interest. It has not been shown that public benefits would outweigh this harm, and the proposal would conflict with the Framework and the Local Plan policies BE1 and CP14, as well as policy HP2 of the Neighbourhood Plan.
13. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should fail.

Jon Hockley

INSPECTOR