

Appeal Decisions

Site visit made on 24 January 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 17th February 2017

Appeal Ref: APP/L3815/W/16/3159604 (Appeal A)

Yew Tree Cottage, North Street, Westbourne PO10 8SN

- 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 and Mrs Hawkins against the decision of Chichester District Council.
 - The application Ref WE/16/02259/FUL, dated 5 July 2016, was refused by notice dated 26 August 2016.
 - The development proposed is 'to demolish rear conservatory and to construct new ground floor extension and part first floor infill extension'.
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Appeal Ref: APP/L3815/Y/16/3159606 (Appeal B)

Yew Tree Cottage, North Street, Westbourne PO10 8SN

- 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 appeal is made by Mr and Mrs Hawkins against the decision of Chichester District Council.
 - The application Ref WE/16/02260/LBC, dated 5 July 2016, was refused by notice dated 26 August 2016.
 - The works proposed are 'to demolish rear conservatory and to construct new ground floor extension and part first floor infill extension'.
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Decisions

1. The appeals are both dismissed.

Procedural Matter

2. Appeal A and Appeal B relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them in one document.

Main Issues

3. Yew Tree Cottage is a grade II listed building and is located within the Westbourne Conservation Area (WCA). Having regard to the statutory requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the main issues in this case are:
 - Whether the proposed works and development would preserve the special architectural or historic interest of the grade II listed building, Yew Tree Cottage; and
 - Whether they would preserve or enhance the character or appearance of the WCA.
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Reasons

Listed Building

4. The appeal site includes a semi-detached two storey property, which forms part of a larger building, which was probably built as one. Formally in a commercial use, it retains its shopfront. Of red brick with painted traditionally designed timber windows and doors, it sits prominently in the street behind a small walled garden. At the rear there is a small outbuilding which sits behind part of the appeal building and its attached neighbour. Yew Tree Cottage has been altered and extended in the past with a large two storey addition and a glazed addition to the outbuilding. The appeal site's Victorian form and detailing, along with its shopfront and shared outbuilding contribute to its significance as a heritage asset.
5. The appeal site sits prominently fronting the street within the WCA. WCA is comprised of the village and its immediate rural hinterland. It includes some shops and a few other commercial buildings, along with houses. Although properties vary in their size, form and style, generally they have high quality design and detailing and a generally rural and traditional character. The appeal site, including its Victorian form and detailing, outbuilding and large rear garden positively contributes to that character and appearance.
6. The proposed two storey addition would further extend the existing envelope of the listed property rearwards. Together with the existing large rear extension, it would appear out of proportion with the original modest cottage and further erode its simple, modest footprint and form. It would be visible from parts of the street and would erode the modest rural character of the existing property as viewed from the street. Furthermore, the large glazed opening on the side elevation would be totally out of character with the simple and modest openings on the rest of the listed building and would appear out of place. That it would be seen from the street adds to my concern.
7. Moreover, the proposed ground floor addition at the rear would remove the existing outbuilding and much of the rear elevation of the existing property, which would further erode the listed building's footprint and historic fabric. The proposed addition would be attached to the main building and would be larger than the existing outbuilding and glazed lightweight conservatory, such that it would diminish the historic relationship of a detached outbuilding as separate and secondary to the main house. By running one simple pitched roof through the whole structure, although it may look neater, would seriously compromise an understanding of the history of the existing outbuilding. Its mainly solid form, as opposed to glazed lightweight form, would further interrupt views of the rear of the main building. The proposed link to the main house, which would include a flat roofed section, would appear out of place and clumsy. The inclusion of large areas of glazing would introduce a modern feel to the extensions which would contrast with the traditional and solid appearance of the main building. All in all, for all of these reasons, the appeal proposals would seriously harm the modest rural character and appearance of the listed building.
8. In coming to this conclusion, I have taken into account that the existing glazed conservatory is unsuitable for use as a living space, that the proposed brickwork would match the original and red clay tiles and some traditional timber sash windows would be used. I have limited substantive evidence

before me to demonstrate that the outbuilding and existing glazed conservatory are structurally unsound or that the future residential use of the listed building is a risk. I am aware however, that there would be energy efficiency advantages as part of the existing rear elevation is single skin brickwork.

9. I conclude that the appeal proposal would fail to preserve the special architectural or historic interest of the listed building. It would therefore fail to accord with the Adopted Chichester Local Plan: Key Policies 2014-2029 (LP), Policies 1, 33 and 47. Those policies, together, aim to conserve and enhance the special interest and settings of designated heritage assets, support sustainable development and high standards of design in new residential development.

Conservation Area

10. I have found that the appeal property positively contributes to the character and appearance of the WCA. I have also found that unacceptable harm to that property would be a consequence of the appeal development and works. It follows, therefore, that the appeal proposal would fail to preserve the character and appearance of the WCA. This would be the case even though part of the appeal proposal would not be seen from public viewpoints within the WCA.
11. I conclude that the appeal development and works would fail to preserve the character and appearance of the WCA. For this reason, it would fail to accord with LP Policies 1, 33 and 47.

Public Benefits

12. In accordance with paragraph 132 of the National Planning Policy Framework (the Framework), I accord great weight to the conservation of designated heritage assets. I consider that the harm to the significance of the listed building and the WCA would be less than substantial. However, I attach considerable importance and weight to that harm. In this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, which would outweigh that harm. In coming to this conclusion, I have had regard to the improved living space that would be provided, the benefits that would result from the removal of the existing glazed conservatory and to the overall energy efficiency of the appeal building.

Conclusions

13. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR