
Appeal Decisions

Site visit made on 25 January 2017

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 24 March 2017

Appeal A: APP/Y3940/W/16/3159840

Old Timbers, 14 Gentle Street, Horningsham, Wiltshire BA12 7LD

- 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 J Bosdet against the decision of Wiltshire Council.
 - The application ref: 16/02502/FUL, dated 9 March 2016, was refused by notice dated 11 July 2016.
 - The development proposed is described as "Revised application for the replacement of modern lean-to extensions and internal alterations".
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Appeal B: APP/Y3940/Y/16/3159843

Old Timbers, 14 Gentle Street, Horningsham, Wiltshire BA12 7LD

- 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 J Bosdet against the decision of Wiltshire Council.
 - The application ref: 16/02721/LBC, dated 9 March 2016, was refused by notice dated 11 July 2016.
 - The works proposed are described as "Revised application for the replacement of modern lean-to extensions and internal alterations".
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Decisions

1. Appeals A and B are both dismissed.

Background, Procedural Matter & Main Issue

2. As the proposals are essentially the same in both appeals, albeit planning permission is not required for the internal alterations, I treat them as 'the appeal scheme' to extend and alter the Grade II listed building. This current scheme follows planning permission and listed building consent in 2015 for a previous scheme which includes replacing existing lean-to elements with a single storey extension (on the eastern gable wall) and a two storey extension (on the northern side of the building). The current scheme proposes a two storey extension instead of the single storey one already approved, together with some variations to the internal works previously approved.
 3. It is apparent from the appeal representations, including a detailed consultation response to the application from the Council's Conservation Officer, that many of the proposals in the current appeal scheme have already been approved or are considered acceptable (subject to conditions). I see no reason to reach any
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different conclusions on those matters, and it is not necessary to list the various approved and/or acceptable elements of the appeal scheme.

4. Two revisions are proposed in the appeal submissions to address some of the Council's remaining concerns. An 18th century cupboard/door in a first floor bedroom would be retained, albeit an opening would be created in the wall at the back of the cupboard to access the first floor bathroom in the eastern extension. Secondly, an existing door and frame between that bedroom and what is currently the first floor landing would be retained. The appellant suggests accepting these amendments would not conflict with the 'Wheatcroft' principle. The Council's response to the appeal does not mention this matter. In effect the amendments simply delete two previously proposed internal alterations. I am satisfied that taking them into account would not prejudice the interests of any other parties. I have therefore determined the appeals on the basis of the revised plan, drawing no. 906 3B.
5. The **main issue in Appeal A** is the effect of the proposed extensions on the special interest and significance of the Grade II listed building and on the character, appearance and significance of the Horningham Conservation Area (CA). The **main issue in Appeal B** is primarily the effect of all the proposed works on the special interest and significance of the Grade II listed building. However, given the linkage between these issues, I deal with them together.

Reasons

6. As established through the *National Planning Policy Framework*, both the listed building and the CA are designated heritage assets. However neither the Council nor appellant has addressed in any detail the defining characteristics or heritage significance of the CA. It is apparent from a plan provided by the Council that the CA designation covers an extensive rural area, but that very basic colour-washed plan is of little assistance in identifying the siting, spread or nature of buildings in the CA (which would normally underlie designation as a conservation area). From an Ordnance Survey map and from my site visit it seems to me that CA's character and significance stem mainly from the dispersed pattern and functions of its various historic and/or traditional buildings, evolved over time.
7. Old Timbers is one such historic building, dating back to the 17th and 18th centuries. The mainly stone-built thatched house is currently T-shaped in form, but that appears to be the result of several phases of development. It is likely the building initially comprised one-and-a-half storeys with a cross passage plan, sited parallel to the road. Its special interest and significance is described in the consultation response from the Council's Conservation Officer, and I agree with that description.
8. In brief, the building's form and fabric is significant both in providing evidence of its historic development and use and in having aesthetic and architectural qualities of interest, notably through use of vernacular materials and detailing. I find that to be the case despite some less appropriate works to the building's fabric which appear to have been carried out in the 20th century¹. For similar reasons, and its resultant attractive appearance, the building also contributes positively to the CA's character, appearance and significance.

¹ As described in the appellant's Historic Building Impact Assessment

9. The approved single storey extension to the eastern gable end would cover slightly more of the historic end wall² than the less substantial lean-to that it would replace, but the expanse of stone wall above would remain as a feature of the existing building's character and interest. However, adding a first floor element as now proposed would obscure the great majority of this end wall, even though it would be slightly inset from the sides of the gable wall, and slightly lower in height. Thus this two storey extension would detract to some extent from the existing building's historic form and character, and there would be some loss of historic fabric to create a first floor doorway into the extension.
10. I note the appellant's points relating to the quality of the existing end wall, and appreciate the two storey extension now proposed would be subordinate in scale to the existing T-shaped building form. It is possible I might have found it acceptable if it was to be the only two storey extension. However it is proposed in addition to the approved, adjacent and much larger two storey extension³. The approved and proposed two storey extensions would result in a substantial amount of new built form at first floor level in close proximity to each other. In combination they would appear on the northern side as unduly dominant and disproportionate to the older T-shaped form that is a key part of the listed building's special interest and character.
11. I find that to be the case despite matters such as the site topography and the ridge heights below the principal roof ridge, and even though public views of this part of the building are limited. It is primarily due to this cumulative impact that I find the additional two storey extension now proposed would harm the listed building's character, special interest and heritage significance. It follows that, in harming the character of a building that contributes to the character of the wider CA, this major element of the appeal scheme would also fail to preserve the CA's character.
12. With regard to internal alterations the appeal scheme proposes an increase in the width of a door opening between the hall and playroom. Consent is sought to increase this opening, from the approved width of 1.7m to 2m⁴, to facilitate provision of a pair of double doors. A wider opening would increase the amount of fabric that would be lost, from what is one of the oldest walls in the building. However in practical terms that additional amount would be quite modest. Bearing in mind also the evidence of previous openings in this wall, I find this element of the appeal scheme would not harm the listed building's special interest or significance.
13. My finding in the previous paragraph does not however alter or outweigh my findings relating to the two storey extension, which would cause harm in terms of character, special interest and heritage significance. The appeal scheme would conflict in this respect with Core Policies 57 and 58 of the Wiltshire Core Strategy (CS) (2015). In the context of national policy in the *Framework* the harm to the significance of the heritage assets would be less than substantial, but there would be harm nonetheless. Paragraph 134 of the *Framework* requires that harm to be weighed against the public benefits of the proposals, including securing optimum viable use of the heritage asset.
14. I have taken into account the appellant's case to the effect that aspects of the appeal scheme would deliver significant benefits to the building's character,

² This is the end wall of the part of the building likely to date from the late 19th/early 19th centuries

³ Which is markedly wider, taller and thus more bulky than the lean-to style element and dormer it would replace

⁴ These are the figures given in the appellant's statement of case, which the Council has not disputed

fabric and appearance, and that those benefits would only be achieved through a scheme which meets the appellant's needs. However I have found that the eastern two storey extension, cumulatively with the approved two storey extension, would detract from the building's character. Moreover, whilst the appellant may have his own requirements for a particular amount and arrangement of accommodation, those are personal requirements. Given the existing size, condition and layout of the existing dwelling those personal requirements could not reasonably be considered essential to ensure the building remains in its optimum use as a residential property.

15. I do not doubt that some of the proposed works would be beneficial in terms of improving the building's condition, thereby helping to ensure its long term future and its significance as a heritage asset. It is reasonable to give some weight to those works as a public benefits. On the other hand, there is little of substance to indicate the condition of the building is so poor, or otherwise at risk, to justify giving greater weight to those benefits than to the harm the appeal scheme would cause. In short I find no sufficiently compelling grounds to conclude the appeal scheme would deliver public benefits of such magnitude that they would outweigh the harm to the significance of the heritage assets and the harm to the character of the listed building and of the CA.
16. The appeal site is within an Area of Outstanding Natural Beauty but the appeal proposals would not harm the quality or scenic beauty of the wider landscape. I have had regard to all other matters raised but have found nothing sufficient to alter or outweigh my conclusions on the main issues. Overall therefore I conclude the proposals would conflict with the development plan and with the *Framework*, and thus both appeals must fail.

Jane Miles

INSPECTOR