

Appeal Decision

Site visit made on 7 April 2017

by Kay Sheffield BA(Hons) DipTP MRTPI

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

Decision date: 25.04.2017

Appeal Ref: APP/A0665/Y/16/3165783

Damson Cottage, Dark Lane, Whitley, Northwich, WA4 4QG

- 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 Sugden against the decision of Cheshire West & Chester Council.
 - The application Ref 16/03395/LBC, dated 03/08/2016, was refused by notice dated 29/11/2016.
 - The works proposed are a glass canopy to the rear of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Appellants have confirmed that the glass canopy would be attached to the lean-to extension and not detached from it as shown in the submitted drawing of the side elevation. The appeal has been determined on this basis.

Main Issue

3. The main issue is the effect of the proposal on the special architectural and historic interest of the Grade II listed building.

Reasons

4. The appeal property, Damson Cottage, is a Grade II listed building. It is one of a pair of two storey cottages which according to the listing description have early 17 century origins. The appeal property is of brick under a slate roof and the simple design of the main part of the dwelling has been maintained in the existing lean-to and pitched roof extensions to the rear. The significance of the property is the simplicity of its design which is characteristic of a vernacular rural dwelling.
 5. The proposed canopy, with its ornate hipped glass roof, pillars and corbel brackets would be attached to the single storey sections of the dwelling in an area which is hard landscaped and set slightly lower than the remainder of the garden.
 6. Although the Appellants contend that the proposed canopy is typical of the period of the cottage, the ornate design and the proposed hipped roof would not reflect the simplicity of the existing property. The hipped roof would be higher than the eaves level of the existing single storey extensions and would
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- create a complicated junction. Furthermore, the proposed pillar adjacent to the pitched roof extension is shown on the plans to be located in front of a window.
7. Whilst there would be a clear differentiation between the existing building and the new, I consider the proposed canopy would be unsympathetic to and harm the appearance of the existing dwelling.
 8. On this basis I conclude that the works would fail to preserve the special architectural and historic interest of the listed building. However, I am in agreement with the Council that the degree of harm would be less than substantial.
 9. Paragraph 134 of the National Planning Policy Framework (the Framework) states that where a proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
 10. It is acknowledged that the canopy, which would be manufactured by a British company, would be relatively small, attached to later additions to the original dwelling and not visible from neighbouring properties. Whilst the addition of the glass canopy would allow the Appellants greater use of their outside space, this is a private benefit and is not critical to ensuring the ongoing conservation of the listed building or to secure its optimum use. I therefore consider that there are no public benefits sufficient to outweigh the identified harm to the heritage asset which would arise from the proposed works.
 11. I have noted the Appellants' offer to simplify the design and have a free standing structure. However, I am required to determine the appeal on the plans before me and on which the Council reached its decision. Notwithstanding this, I am not persuaded that the changes proposed would overcome the concerns identified.
 12. Accordingly I conclude that the works would detract from the special architectural and historic interest of the listed building causing less than substantial harm to the significance of the heritage asset. In the absence of any public benefits sufficient to outweigh this harm the works would conflict with the Framework and, insofar as they are relevant to this proposal for listed building consent, Policies BE5 and BE6 of the Vale Royal Borough Local Plan, and Policy ENV5 of the Cheshire West and Chester Local Plan (Part One).
 13. For the reasons given above, and having had regard to all other matters raised, the appeal is dismissed.

Kay Sheffield

INSPECTOR