
Appeal Decisions

Site visits made on 3 and 17 May 2017

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 24 July 2017

Appeal A Ref: APP/Y3940/W/16/3164592

32 Greenwich, Fonthill Gifford, Tisbury, Salisbury, Wiltshire SP3 6QL

- 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 Jonathan Bird against the decision of Wiltshire Council.
 - The application Ref 16/03437/FUL, dated 31 March 2016, was refused by notice dated 6 June 2016.
 - The development proposed is described as “retrospective application to retain “as built” the two-storey extension roof structure rather than as approved under references 15/00875/FUL and 15/00878/LBC”.
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Appeal B Ref: APP/Y3940/Y/16/3164643

32 Greenwich, Fonthill Gifford, Tisbury, Salisbury, Wiltshire SP3 6QL

- 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 Jonathan Bird against the decision of Wiltshire Council.
 - The application Ref 16/03440/LBC, dated 31 March 2016, was refused by notice dated 6 June 2016.
 - The works proposed are described as “retrospective application to retain “as built” the two-storey extension roof structure rather than as approved under references 15/00875/FUL and 15/00878/LBC”.
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Decision

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

Procedural Matters

3. 31 and 32 Greenwich are grade II listed buildings within the grade II* Fonthill Historic Park and Garden. As required by Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
 4. For development likely to affect a grade II* Historic Park and Garden, there is a requirement for consultation with Historic England and the Gardens Trust. The Council had not consulted either during the original application. The views of these organisations were sought for the appeal, although neither provided comments.
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5. As set out above, there are two appeals on the same site, one for planning permission and the other for listed building consent, seeking a two storey rear extension. I have considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
6. The extension has been constructed, with the Council having considered the proposal as retrospective. From my site inspections it was apparent that the erected extension was different to that shown on the drawings refused by the Council. For the avoidance of doubt, I have confined myself to the consideration of the appeal proposal before me, rather than what has occurred on site.

Main Issue

7. The main issue is whether the extension would preserve a grade II listed building, its setting or any features of special architectural or historic interest it possesses, and linked to that whether the works would preserve the special interest of Fonthill Historic Park and Garden.

Reasons

8. 32 Greenwich is one of a pair of two storey semi-detached houses with attic rooms. These houses form part of a row of paired cottages that were constructed for the Fonthill Abbey estate. The linear grouping of these cottages and the similarity of their size and form makes them a cohesive and distinctive feature within the landscape. This, and their domestic Gothic style, modest form and construction from traditional materials is part of their significance. They make a positive contribution to the special historic interest of Fonthill Historic Park and Garden, reflecting the planned nature of the estate, its functioning and the social hierarchy of the buildings within it.
9. To the back of 32 Greenwich is a historic lean-to extension. Constructed from materials to match the house, it has a steep pitched roof and includes the distinctively decorative and eye-catching cast-iron octagon glazing. As such the extension is part of the significance of the listed building. From the evidence before me, it was apparent that both cottages had been extended beyond the lean-to, filling the gap between the rear of the houses and the retaining wall of the gardens.
10. The large two-storey rear extension permitted by the Council in 2015 included a notched roof to expose part of the lean-to roof. This and the retention of the flank wall of the extension and plain timbered door retained the legibility of the historic building. The appeal proposal contains a number of alterations to the approved scheme, including a different roof form that would oversail the remaining part of the lean-to.
11. The proposed roof form is considered by the appellant to be an even and continuous homogenous visual feature. Nevertheless, the continuation of the roof over the lean-to extension would obscure the differentiation between the new and the historic. This, when combined with the long unbroken length of the ridge, would unacceptably exaggerate the dominance of the extension upon the historic host. Although part of the lean-to roof would remain exposed, as it would be under the new roof it would appear subservient to the new extension.

Even with the glazed link, the long continuous length of the new roof would overwhelm the lean-to, giving it an unacceptably recessive appearance.

12. I note the drawings permitted by the Council scheme showed the projection of the eaves beyond the flank wall of the main house, and that details of the eaves were for conditional approval. Notwithstanding this, the provision of deep fascias and wide soffits with vents would have a modern appearance that would be at harmful odds with the traditional and simplistic forms found upon the historic building. The size and boxy form of the eaves along with the attachment of the rainwater goods to the fascias would make them noticeably apparent, contrary to the more discreet arrangements found upon the historic building. The appellant considers it would prevent the creation of a high blank wall, but this is a characteristic of the gable end of the main house, with its expanse of uninterrupted walling and diminutively sized windows.
13. I appreciate that the cottages were listed in December 2013, and that alterations and extensions have occurred to both No 32 and to other houses in the row. However, I do not have the full planning history of these properties before me, and from what I saw during my visits those that have been extended are not directly comparable to the appeal proposal. Moreover, each scheme has to be treated on its own individual merits in accordance with the requirements of the current development plan and all other material considerations, as I have undertaken in this instance.
14. The appellant points out that the alterations would be difficult to see from a single public vantage point. However, the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Furthermore, there is a clear statutory requirement to pay special regard to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. This is an important duty to which I must give considerable weight, and it applies in all cases, not just where works are prominent or publically visible.
15. Having regard to the size and form of the permitted extension, those differences sought with the appeal scheme would have a neutral impact on the settings of the nearby listed buildings and upon the special interest of the Historic Park and Garden. Nevertheless, for the reasons given the proposed works would harm the special interest and significance of a listed building. This would be contrary to Core Policy 58 of the Wiltshire Core Strategy (2015), which seeks amongst other things, the protection and conservation of the significance of designated heritage assets, reflecting the Framework.
16. The Framework also requires that where a development proposal would be less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The appeal alterations would result in less than substantial harm due to their size compared to that of the permitted scheme. The extension is needed for a young family and to meet modern living standards, but these are personal benefits rather than public ones, and would not outweigh the harm I have found.

Other Matters

17. The appeal property is within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). Although not a matter for the Council, there is a statutory duty to protect the landscape and scenic beauty of the AONB, and I have to consider the impact of the proposal upon this designation. Having regard to the size of the extension that has been permitted by the Council, the appeal scheme would not unacceptably harm the wider landscape and scenic beauty of the AONB.
18. It seems there is a dispute between the appellant and the owners of the adjoining house as to whether the extension has been built partly in the neighbouring property. From what I saw at my visits there appears to be a discrepancy between what is shown on the appeal drawings and what has been constructed on site. Nevertheless, issues of land ownership would be a matter for the relevant parties concerned to resolve, and have not had a bearing on my assessment of the planning and listed building issues raised by the appeals.

Conclusion

19. Thus for the reasons given above and having considered all other matters raised, the appeals are dismissed.

J J Evans

INSPECTOR