
Appeal Decisions

Site visit made on 16 January 2018

by Alan Novitzky BArch(Hons) MA(RCA) PhD RIBA

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

Decision date: 01 February 2018

Appeal A, Ref: APP/T3725/F/17/3181129

Rowington Hall, Old Warwick Road, Rowington, Warwick CV35 7AB

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr John Jackson against a listed building enforcement notice issued by Warwick District Council.
 - The enforcement notice, numbered ACT/340/16, was issued on 29 June 2017.
 - The contravention of listed building control alleged in the notice is, without listed building consent, the installation of new slate roof covering to the front roof slope of the building (as shown in Photograph 1 attached to this notice).
 - The requirements of the notice are:
 - I. Permanently remove the unauthorised Chinese slate roof covering from the front roof slope shown in Photograph 1 attached.
 - II. Re-install the covering to the front roof slope using natural Welsh slate laid to diminishing courses to match the rear roof slope as shown in Photographs 2-5 attached.
 - III. Permanently remove all materials resulting from the removal of the unauthorised tiles from the Land.
 - The period for compliance with the requirements is six calendar months.
 - The appeal is made on the grounds set out in section 39(1)(e) and (g) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Appeal B, Ref: APP/T3725/Y/17/3172459

Rowington Hall, Old Warwick Road, Rowington, Warwick CV35 7AB

- 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 John Jackson against the decision of Warwick District Council.
 - The application Ref W/16/2123/LB, dated 19 November 2016, was refused by notice dated 24 January 2017.
 - The works proposed are, repair garden front roof slope.
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Decisions

Appeal A:

1. The appeal is allowed and the listed building enforcement notice is quashed. Listed building consent is granted for the retention of the slate roof covering to the front roof slope at Rowington Hall, Old Warwick Road, Rowington, Warwick CV35 7AB.

Appeal B:

2. Since listed building consent for the retention of the slate roof covering to the front roof slope is granted under Appeal A, no further action will be taken in connection with this appeal.

APPEAL A:

Ground (e) – *that listed building consent ought to be granted for the works*

3. Rowington Hall was Grade II listed in 1990. It lies within The Rowington Conservation Area.

Main Issue

4. The effect of the works on the special interest of the building and the character and appearance of the Conservation Area.

Reasons

5. The Council maintains that the previous roof covering was laid in diminishing slate courses. However, the only substantive evidence it provides derives from older photographs, including enlarged sections showing parts of the roof slope. The Appellant provides competing photographic evidence to support its position that the roof was coursed uniformly, and that any apparent diminution towards the ridge arises from the effects of perspective.
6. I cannot form a clear opinion from the photographs, which are very difficult to read. However, I see no reason to doubt the statements of three tradesmen who have worked on the roof at various times and who maintain that the roof was laid to a constant gauge. Nor do I see good reason to doubt the report of Mr Cain FRICS, who carried out a condition survey of Rowington Hall in 2006, which reaches the same conclusion.
7. The late 18th century Rowington Hall is laid out in the form of a closed courtyard, its main elevations built in local reddish grey stone ashlar and its secondary elevations in brick. With the two storey main entrance elevation facing eastwards towards gardens and a small lake, it turns its back on the B4439 Old Warwick Road to the north, and also on the track to the west which runs from the road to cross the Grand Union Canal a short distance to the south.
8. The listing refers to 'slate hipped roof'. At the site visit, access was not available to the south side of the building or the courtyard. However, from what could be seen on site and from Google Earth, all of the roof planes, except for the slated slope above the main entrance elevation, appear to be tiled.
9. The Conservation Area is tightly drawn around the core of the village and includes, as its principal features, the Hall and its grounds, and the Grade I listed Church of Saint Laurence across the road to the north. The village retains its historic layout, and its identity as a small, distinct, contained settlement in the open countryside closely related to the Grand Union Canal. These points contribute to its character and appearance.
10. The significance of the Hall lies in its architectural interest and its historic and pictorial relationship to the village. This can be experienced travelling along

the Old Warwick Road from the south east, approaching the village, where a rare, fairly distant view of the frontage can be glimpsed through gaps in the hedge. The frontage can also be seen through foliage in closer, but oblique, views from the Heart of England Way as it passes through the churchyard raised above the road. In neither case can the nature of the slate gauging be seen properly.

11. We do not know the provenance of the old slates, but it is clear that the roof covering had weathered considerably and acquired moss and other organic growth. The replacement slates, imported from China, are of good quality and their neutral grey seems to me sympathetic to the stonework. Their newish appearance will be lost in a few years' time and the roof plane will gain a more varied appearance and meld in to its surroundings.
12. The effect of the roof plane on the architectural integrity of the building is limited since the surrounding roof slopes appear clay tiled. As a result, no requirement to match or continue an existing slate aesthetic arises. The slates have a regular appearance, consistent with the character of the classical frontage. A less formal appearance, perhaps the result of using mixed sizes of slates, would bring no additional benefit to the building, in my view.
13. Both in terms of visual impact and effect on the intrinsic character of the building, its setting, or the character or appearance of the Conservation Area, I see no material harm arising from the installation of the slate roof slope. In my view, these works preserve the building, its setting and its special features, in accordance with s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. They also preserve the character and appearance of the Conservation Area, required under s72 (1) of the same Act.
14. The works meet the aims of the National Planning Policy Framework (NPPF), Section 12 (Conserving and enhancing the historic environment). They also accord with Policies HE1 (Protection of Statutory Heritage Assets) and HE2 (Protection of Conservation Areas) of the Warwick District Local Plan 2011-2029, adopted September 2017.
15. The effect of the works on the special interest of the building and the character and appearance of the Conservation Area is acceptable. The appeal succeeds on ground (e).

Ground (g) – *that the requirements exceed what is necessary for restoring the building to its condition before the works were carried out*

16. Since the appeal succeeds on ground (e), there is no need to consider ground (g).

APPEAL B:

17. Since Appeal A succeeds, there is no need to consider Appeal B.

Alan Novitzky

Inspector