
Appeal Decisions

Site visit made on 17 June 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 21 June 2019

Appeal A: APP/H1840/W/18/3211880

East Barn, Farm Lane, Westmancote GL20 7ES

- 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 Ms Carol Norbury against the decision of Wychavon District Council.
 - The application Ref 18/00847/HP, dated 27 April 2018, was refused by the Council by notice dated 10 July 2018.
 - The development proposed is a single storey addition at the rear of the property to provide additional seating area in an open-plan arrangement.
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Appeal B: APP/H1840/Y/18/3211879

East Barn, Farm Lane, Westmancote GL20 7ES

- 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 Ms Carol Norbury against the decision of Wychavon District Council.
 - The application Ref 18/00848/LB, dated 27 April 2018, was refused by the Council by notice dated 10 July 2018.
 - The works proposed are a single storey addition at the rear of the property to provide additional seating area in an open-plan arrangement.
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Decisions

1. I dismiss both appeals.

Reasons

2. The building is listed Grade II and is situated within the Westmancote and Lower Westmancote Conservation Area. The main issue in both appeals is the effect of the proposal on the architectural or historic interest of the building and its setting.
3. Policy SWDP 6 of the South Worcestershire Development Plan 2016 concerns the historic environment and proposals should conserve and enhance the significance of heritage assets. Design is the subject of Policy SWDP 21 where all development will be expected to be of a high quality, including conserving and where appropriate, enhancing cultural and heritage assets. Policy SWDP 24 sets out requirements for the management of the historic environment; development proposals affecting heritage assets will be considered in accordance with the Framework, relevant legislation and published national and local guidance.

4. The Bredon Parish Neighbourhood Plan was 'made' on 26 July 2017 and is therefore part of the Development Plan for the area in which the appeal site lies. Policy NP4 on the design of extensions details at section 7 the aims with regard to heritage assets, while Policy NP8 concerns conservation areas.
5. The South Worcestershire Design Guide sets out advice on the design of extensions and on the response to the historic environment, with extensions being subordinate to the host dwelling and the cumulative effect of extensions should not be a negative one, with roof pitches being the same as the original but lower.
6. Paragraph 193 of the 2019 National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
7. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
8. The building is stated to have been a stables building with jockey's accommodation above, and forms a group with other listed one-time agricultural buildings. The historic shape and massing of such a building remain visible, the addition of a front porch is small enough so as not to disrupt the simple rectangular shape, whilst a lean-to addition at the east end built in 1979 has its mono-pitch roof set at a low enough level, and the masonry walls set-in from the original lines, so as not to obscure the massing of the original building. Although the Ordnance Survey extracts submitted as the block plans and location plans show a projection to the rear, that is no longer in place but may have been an indication of the brick steps referred to in the listing description.
9. The proposed addition would be to the rear face of the lean-to, with a double pitched roof, the rear slope just below the line of the mono-pitch, but linked to the previous addition by a simple glazed link. Such a device can be successful in linking old and new, although in this case the 'old' is not part of the historic plan form. The proposed new accommodation would house a garden room and would be set within the slope of the side garden, that slope reaching the new level of the proposed 'west terrace'. It is likely that the profile of the land in this area was affected by the construction of the lean-to addition in 1979 as would have been the courtyard with its retaining walls.
10. The proposal would be to the rear and not in a location where there would be any effect on the appearance of the conservation area, and the increase in floor area together with the intended use would not adversely affect the character of the area as it would be unlikely to result in significant additional activity. The relationship with the other buildings referred to as the 'group' would not change significantly.
11. However, whilst the 1979 addition was well integrated with the linear nature of the original building, but suitably set in from the front and rear walls, and the roof was set down from the gable peak and eaves of the roof-line, the

- proposed addition would disrupt that simple rectangular plan form and risk confusing the understanding of the once agricultural rural building. The fact that there would be no adverse effect on historic structure as the addition would be only to the previous addition, does not reduce the effect sufficiently.
12. The proposals would fail to preserve the architectural and historic significance of the listed building, which reside to a substantial extent in its plan form and simple lines which remain evident following the original conversion to residential use. Harm would be caused to the significance of the listed building as a result.
 13. The level of harm would be 'less than substantial', a differentiation required between paragraphs 195 and 196 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
 14. The proposal would provide a useful further amenity to the occupiers, including a link to the garden through large opening doors that would be inappropriate if formed elsewhere in historic fabric. The continued care and occupation of listed buildings by private owners is a public benefit. Nevertheless, the dwelling does not appear to be sub-standard in its accommodation and there would be no risk of it falling out of its beneficial use as a dwelling for want of the accommodation sought.
 15. To conclude, the proposals would cause harm and there is insufficient justification or public benefits to outweigh that harm. The works would be contrary to the aims of the Development Plan policies and the Supplementary Planning Document previously cited, and would not satisfy the statutory tests in the 1990 Act nor the requirements of section 16 of the Framework on conserving and enhancing the historic environment. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR