
Appeal Decision

Site visit made on 15 October 2019

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary

Decision date: 21 October 2019

Appeal Ref: APP/P1615/Y/19/3228936

Briery Hill Farmhouse, Briery Hill Farm, Briery Hill Lane, Kilcot, Newent, Gloucestershire, GL18 1NH.

- 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 S and L Fox against the decision of Forest of Dean District Council (the LPA).
 - The application Ref. P0147/19/LBC, dated 30 January 2019, was refused by notice dated 12 April 2019.
 - The works proposed are replacement of windows in north east elevation and repainting of all other windows.
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Decision

1. The appeal is allowed in part (repainting of windows) but is otherwise dismissed (replacement windows). Listed building consent is granted for the repainting of the existing windows in accordance with the terms of the application Ref. P0147/19/LBC, dated 30 January 2019, insofar as it relates to this element of the works only, subject to the conditions in the Schedule below.

Preliminary Matter

2. The proposed repainting would entail the existing blue coloured window frames being painted an off-white matt colour. The LPA does not object to this element of the proposed works and I consider that this would preserve the special architectural and historic features of the grade II listed Briery Hill House. This element of the appeal should therefore succeed. As it is capable of being 'severed' from the other works a split decision could be issued.

Main Issue

3. The main issue is whether the seven proposed replacement windows in the north eastern (NE) elevation of Briery Hill House would preserve the features of special architectural or historic interest which it possesses.

Reasons

4. The significance (heritage interest) of the late 17th/early 18th century Briery Hill House is derived primarily from its architectural qualities. These include its 'L'-shaped plan, rendered brickwork walls with hipped and gabled roofs, brick chimney, panelled front door with semi-circular fan light, projecting porch with Adam Doric columns and pilasters, hipped dormers and its window arrangement and detailing which include sash¹ and casement windows.

¹ These appear in the principal north western (NW) elevation of the building.

5. The NW elevation of this farmhouse overlooks the terraced garden and lake and appears to have been remodelled in the early 19th century as a formal symmetrical elevation in the polite style. In contrast, the remaining elevations retain a simpler vernacular style with different window styles and sizes. However, that is not to say that these other elevations are unimportant and the NE elevation faced onto and overlooked the approach to the farmhouse.
6. The windows in the NE elevation do not form part of the important historic fabric of the building and are poor quality copies of late 17th and early 18th century casement windows. However, as eloquently explained by the LPA's Conservation Consultant, in all likelihood, these casement windows reflect the simpler vernacular style and design of the originals with heavy mullions and transoms. They provide a semblance of the historic form of the windows in this elevation and assist in retaining the building's architectural character/integrity.
7. I appreciate the appellants desire to replace the existing windows, which are need of repair, and understand why they thought it appropriate to propose modern sash windows to reflect those in the NW elevation. However, I concur with the LPA that this change in window style/type would blur the architectural distinction between the NW and NE elevations and would erode the special architectural qualities and historic character of this designated heritage asset. The proposed works would detract from an appreciation and understanding of the significance of this nationally important building.
8. As the proposed works do not comprise development neither the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 nor paragraph 196 of the National Planning Policy Framework apply. Even if they did, there are no public benefits sufficient to outweigh the harm that I have identified to the heritage interest of this listed building. The proposed replacement windows are at odds with the objectives of established national and local planning policies for protecting the historic environment.
9. I conclude on the main issue that the replacement windows would fail to preserve the special architectural and historic interest of Briery Hill House.
10. In addition to the 'standard' condition requiring the repainting works to commence within three years, in the interests of certainty a condition would be necessary specifying the approved plan. A condition would also be necessary requiring the windows to be painted in an off-white matt colour in order to safeguard the special architectural qualities of the building.
11. Given all of the above, consent should be forthcoming for the repainting works but should be withheld for the proposed replacement windows. The appeal therefore succeeds in part but otherwise fails.

Neil Pope

Inspector

SCHEDULE OF CONDITIONS

1. The repainting works hereby permitted shall commence within three years of this date of this decision.
2. The repainting works hereby permitted relate to the unscaled site location plan supplied by Streetwise Maps Ltd and showing the appeal site edged in red.
3. The windows shall be repainted in an off-white matt coloured paint.