
Appeal Decisions

Site visit made on 14 October 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 October 2019

Appeal A Ref: APP/Y3940/W/19/3223308

The Old Rectory, C268 West from Cold Blow to Corner at Huish, Huish SN8 4JN

- 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 P & Lady A Elleston against the decision of Wiltshire Council.
 - The application Ref 18/09761/FUL, dated 15 October 2018, was refused by notice dated 10 December 2018.
 - The development proposed is erection of glazed link between dwelling and outbuilding.
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Appeal B Ref: APP/Y3940/W/19/3223309

The Old Rectory, C268 West from Cold Blow to Corner at Huish, Huish SN8 4JN

- 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 P & Lady A Elleston against the decision of Wiltshire Council.
 - The application Ref 18/09930/LBC, dated 15 October 2018, was refused by notice dated 10 December 2018.
 - The works proposed are erection of glazed link between dwelling and outbuilding.
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Decisions

1. Appeal A is dismissed. Appeal B is dismissed.

Main Issue – both appeals

2. The main issue in both appeals is whether the proposed works and development would preserve the Grade II listed building known as The Old Rectory or any features of special architectural or historic interest it possesses.

Reasons – both appeals

3. The Old Rectory is a handsome red-brick, bow-fronted building situated at the edge of the settlement of Huish, within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The statutory list description identifies the former rectory, which is now a house, as being c. 1812, brick with tiled roof, two storeys and cellar. As an example of a relatively high-status dwelling with large grounds in a rural village setting, the building's historic associations, architectural execution and surviving historic fabric are all aspects of its special interest and significance. Despite the changes over time, significance is also derived from the continued legibility of the former rectory as the principal structure that has visual and functional independence from the ancillary buildings within its associated estate.

4. During the 1990s a two-storey extension with attic rooms was added to the principal building. While the fabric of this part of the building is modern, it replicates the materials, detailing and proportions of the historic structure and is a sensitive addition to it. Broadly contemporary with the extension is a single-storey outbuilding constructed of blackened timbers under a slate tile roof, which replaced a former barn in the same location. Notwithstanding that the ancillary outbuilding is of relatively recent construction, the prevailing materials of timber boarding and brick and slate give it a subordinate barn-like character. Consequently, it is read very much as a secondary structure, subservient in terms of scale and material treatment. A paved and gravel courtyard separates the outbuilding from the side elevation of the 20th century extension and emphasises a visual and physical distinction between the two.
5. The appeal scheme would introduce a single-storey 'link' connecting the side of the modern extension to the currently separate outbuilding. In order to accommodate a level change from the ground floor of the main dwelling, the proposed link would step down in three sections. The first section out from the house would be timber-framed under a pitched slate roof, with glazed sides on a brick plinth; the second would have larger glazed side panels under a pitched slate roof; while the third would be flat-roofed and fully glazed.
6. In its favour, the proposed structure would be relatively modest in size, constructed of quality materials and would not affect historic fabric. Even so, the proposal would blur the distinction between the primary dwelling and the outbuilding. Consequently, the proposal would undermine the legibility of the visual and functional independence the main dwelling has from the historically separate ancillary structure in its grounds.
7. Notwithstanding that the use of materials would broadly relate to the outbuilding, the differing form and staggering of the link would cause it to lack architectural refinement. Rather than successfully complementing either structure, the link would appear as an awkward adjunct to both. Furthermore, the brick plinth and slate pitched elements would have visual solidity and a degree of permanence that would emphasise the link as a domestic component, thereby, further undermining the clear sense of separation between the outbuilding and the main dwelling that currently exists.
8. Overall, the proposed works and development would harm the legibility of the listed building's character and the physical narrative of a historic ascendancy over and separation from lower-status buildings within its grounds. The jarring impact of the proposal would not be obvious from the public realm, but a lack of visibility does not equate to a lack of harm. I therefore consider that the works and development would fail to preserve the special interest and significance of the Grade II listed building.
9. Given the scale and location of the proposal, the degree of harm on the heritage asset's significance would be less than substantial. Paragraph 196 of the National Planning Policy Framework, revised February 2019 (the Framework) requires this be weighed against the public benefits of the proposal, including securing the building's optimum viable use.
10. The argument is not being made that the scheme is necessary to secure the building's optimum viable use, which appeared to me in sound condition and benefits from extensive accommodation. The covered route the proposal would provide between the two structures would ultimately offer convenience and

comfort, to the satisfaction of the private needs and wishes of the appellants, which is not of public benefit. There would be no harm to the landscape and scenic beauty of the wider AONB, nor to the character and appearance of the wider area. There would be some very short-term economic benefits associated with the construction phase.

11. I note that the appeal scheme is the latest iteration and the product of the appellants' efforts to find an agreeable design solution. I also note that in other circumstances a link extension to a listed building and ancillary structure may be acceptable. However, in considering whether to grant listed building consent or planning permission, decision-makers are required to have special regard to the desirability of preserving a listed building. The characteristics of each site and the significance of individual listed buildings are inevitably different and the apparent similarities at one should be not used as a justification for harmful works to another.
12. All things considered, the sum of public benefits would not be sufficient to outweigh the less than substantial harm to the significance of the designated heritage asset that the development proposal would cause. Conflict therefore arises with the historic environment policies under Section 16 the Framework. There would also be conflict with Policies 57 and 58 of the Wiltshire Core Strategy, January 2015 insofar as these also seek to ensure development conserves the historic environment and is of high-quality design.

Conclusions

13. For the reasons given above, I conclude that the proposed works and development would fail to preserve the Grade II listed building or features of special architectural or historic interest it possesses, contrary to the clear expectations under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Even though the overall harm would be less than substantial in this case, this overarching statutory duty must be given considerable importance and weight. For the reasons set out above, therefore, both Appeal A and Appeal B should be dismissed.

H Porter

INSPECTOR