



Appeal Decisions

Site visit made on 18 November 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 02 December 2019

Appeal A Ref: APP/Y3940/W/19/3226978

6 St Marys Lane, Dilton Marsh BA13 4BL

- 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 & Mrs Brown against the decision of Wiltshire Council.
 - The application Ref 18/11490/FUL, dated 18 November 2018, was refused by notice dated 28 January 2019.
 - The development proposed is single-storey rear extension with side porch.
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Appeal B Ref: APP/Y3940/W/19/3226977

6 St Marys Lane, Dilton Marsh BA13 4BL

- 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 & Mrs Brown against the decision of Wiltshire Council.
 - The application Ref 18/11763/LBC, dated 18 November 2018, was refused by notice dated 28 January 2019.
 - The works proposed are single storey-rear extension with side porch.
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Decision

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

Main Issue

3. The main issue in both appeals is the whether the proposed works and development would preserve the Grade II listed building or its setting or any features of special architectural or historic interest it possesses.

Reasons

4. The appeal site, together with its attached neighbour, are the Grade II listed building known as 6 and 8 St Marys Lane (east side). The pair of early 19th century cottages was first listed in 1987, the list description specifically identifying the group value of the building, which was included on the statutory list as 'a little altered example of this type of cottage in Dilton Marsh'.
5. The significance and special interest of the listed building lie in its preservation of the authentic qualities of simple rural workers' cottages of c. 1800, still retain the charm and appearance of a vernacular building of that time. The cottages' overall form, modest proportions, materials and simple detailing underpin their special interest.

6. Both of the attached listed cottages have been subject to adaptations, notably to the side and rear. These include two-storey outshoots that have added to what, historically, appears to have been a one-up, one-down plan form. Additionally, Number 8 also has a single-storey lean to, the pitched roof of which cuts just under the eaves of its outshoot. Excepting a small entrance porch and modern uPVC windows on the side elevation, the appeal building has retained the integrity of a simple, modest dwelling with a typical 19th century vernacular appearance.
7. The appeal scheme proposes to remove the side entrance porch and construct a lean-to plus single-storey wrap-around extensions to the rear and side of No. 6. The lean-to element would partly duplicate the existing rear lean-to at No. 8. Beyond this, would be a further flat-roofed extension that would wrap-around to the side and abut the rear elevation of the principal building, creating an open porch area. Three 'conservation-style' roof lights would be inserted within the tiled roof of the outshoot, while the modern uPVC casements would be replaced with multi-pane timber double-glazed units.
8. The proposals would significantly increase the ground-floor footprint of the appeal building, well beyond the original extent, and further than the single-storey lean-to of No. 8. The creation of a large kitchen-diner would form a single room that would be disproportionately large in comparison with any in the extant building. The wrap-around element would infill the strip from the back of the original house. The combined effect would be to substantially elongate the appeal building along its side and weaken legibility of its original simple, modest form.
9. I take no issue with a contemporary design approach per se. However, together with the form and scale of the proposed extension, the use of standing-seam metal and full-height glazing would emphasise a disparity between the existing structure and its traditional material palette.
10. Unlike the Council, I do not think that three relatively low-key rooflights in the roof-slope of the non-original outshoot would cause harm. There has been a reduction in the scope of the extension first mooted to the Council and no objections from interested parties. None of this, however, overcomes the impact of the proposed extension. Even if not obvious from St Marys Lane and constructed in high-quality materials, the proposals would be incongruous and would fail to defer to the character, historic plan form and materials of the appeal building.
11. The effect of the proposals would therefore be to diminish unacceptably the integrity of the appeal building and would cause harm. As proposed, the appeal scheme would fail to preserve the special interest of the Grade II listed building. The harm to the significance of the listed building would be less than substantial within the meaning of the term in the National Planning Policy Framework, Revised February 2019 (the Framework). This requires that the less than substantial harm be weighed against the public benefits of the proposal.
12. There is no policy objection to the principle of a ground-floor extension, but I am not convinced that the current proposals would be necessary to secure the optimum viable use of the building, or that they are the least harmful way of securing either investment in the fabric of the building or a larger internal living space for its occupants. Ultimately the extension would satisfy the private

wants and needs of the appellants, which is not a public benefit. Even if the extant side porch is in a state of disrepair, it is unobtrusive, and its removal would not offer any express heritage benefit. There would be some enhancements and modest public benefit through replacement of the uPVC windows and rainwater goods and through repairs and restoration proposed on the front elevation. Even cumulatively, the sum of wider public benefits is not sufficient to outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.

Conclusions – both appeals

13. The proposed works and development do not pass the statutory tests within s. 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; would fail to accord with historic environment and design quality policies within the Framework; and would 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.
14. For the reasons given above, and having considered all other matters raised, I conclude that the both Appeal A and Appeal B should be dismissed.

H Porter

INSPECTOR