
Appeal Decisions

Site visit made on 20 November 2019

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 2 December 2019

Appeal A: APP/N1730/W/19/3229318

The Old Storehouse, The Street, Rotherwick, Hook RG27 9BG

- 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 Glen against the decision of Hart District Council.
 - The application Ref 19/00103/HOU, dated 17 January 2019, was refused by notice dated 22 March 2019.
 - The development proposed is single-storey oak orangery to the rear.
-

Appeal B: APP/N1730/Y/19/3229321

The Old Storehouse, The Street, Rotherwick, Hook RG27 9BG

- 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 Glen against the decision of Hart District Council.
 - The application Ref 19/00104/LBC, dated 17 January 2019, was refused by notice dated 22 March 2019.
 - The works proposed are single-storey oak orangery to the rear.
-

Decisions

1. I dismiss both appeals.

Reasons

2. The building is Listed Grade II and the main issue in both appeals is the effect of the proposal on the architectural or historic significance of the building and its setting within the Rotherwick Conservation Area.
3. 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.
4. Saved Policy GEN1 of the Hart District Local Plan is a general policy for development and proposals should include provision for the conservation or enhancement of the District's landscape, ecology, historic heritage and natural resources. Policy CON13 sets requirements for development within conservation areas while Policy CON17 concerns proposals for the extension or alteration of listed buildings and requires that the scale of the building is not materially changed, and that the design is appropriate to the character and setting of the building.

5. The Rotherwick Neighbourhood Plan has been 'made' and is part of the Development Plan. Policy BE02 is specific to conservation areas and requires proposals to respect the historic fabric of the area and conserve or enhance its character, the buildings within it and its setting.
6. Paragraph 193 of the 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.
7. The significance of the building lies in its history as a shop, its architectural interest added to over the years, and in its contribution to the character and appearance of the conservation area as a building close to the church and displaying the generally linear form of development along The Street. The plan form has been added to from what was the simple single storey building and the level of significance varies towards the rear, with less attaching to the rearward addition at right-angles to the main range. The rear linear range is noted on the appellants' map regression as being between 1872 and 1896, while the rearward projection is later than that.
8. The adjacent church is a focal point of the village and the space between it and The Storehouse allows views through to the land at the rear, and paths within the churchyard allow glimpses of the site of the proposed extension. The Church is identified in the Conservation Area Character Appraisal as one of the principal listed buildings at Grade II*, while the Old Store House, the appeal building, is identified in that Appraisal as another of the principal listed buildings at Grade II. As stated by the Council, the listing description is for identification purposes and does not set out to refer to all items of significance.
9. The proposed addition would be placed in the angle between the rearward addition and the back of the main house, and adjoining a small projection shown as a 'larder'. The orangery-style addition would consist of 2 fully glazed walls with a rhythm of framing and double doors central on each elevation, and a hidden gutter behind a false pitched-roof of tiles, a flat roof and in the centre of that, a glazed lantern-light.
10. Whilst only needing the 2 walls due to being built into a corner, the building would extend over a substantial footprint and would cover the greater part of the rear wall, much of which would be removed to form an open-plan way through. The Council object to the loss of historic fabric, although its value is less clear, and the opening would be placed between window reveals, limiting the area taken down. Nevertheless, the opening-up would erode the interest of the rear wall and would upset the more cellular nature of the historic building.
11. The juxtaposition of the addition to the rear larder projection and the east facing lean-to would be visually awkward and the placement and height of the lantern light would draw attention to the development in views from the church path, and from within the curtilage of the listed building would disrupt the pattern of the windows under the eaves to the rear. The proposal would therefore harm the architectural and historic significance of the listed building.
12. The site of the addition would not be seen from the road, due to the main house building extending further to the east and closing off possible public views. There would however be the possibility of a view from the church path as just referred to, and that is a public footpath within the conservation area.

Although there are modern buildings to the background of that view, the harm caused to the significance of the listed building would be seen as harm to the character and appearance of the conservation area, particularly as this is one of the designated area's principal buildings and close to the Grade II* church.

13. The level of harm to both the listed building and the conservation area 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. There does not appear to be any risk of the dwelling falling out of its viable use and that continuing use as a dwelling should be regarded as the optimum one. There could be a benefit in the conservation of heat and power, with a consequent reduction in carbon emissions through the addition forming a buffer zone, although whilst it would have an insulated roof and double glazing, it is unclear to what extent the fully glazed design would reduce the overall energy use of the dwelling. Other benefits to the occupiers of the dwelling carry limited weight, as although the preservation and care of listed buildings by private owners is for the public benefit, the addition does not appear to be essential to that end.
15. To conclude, the proposal would not satisfy the statutory tests in the 1990 Act and would not accord with Local Plan Policies GEN1, CON13 and CON17 or Neighbourhood Plan Policy BE02. The harm is not outweighed by the public benefits, and the failure to accord with the policies and statute previously cited is not justified. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR