
Appeal Decision

Site visit made on 4 November 2019

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2019

Appeal Ref: APP/X0415/Y/19/3231606

5 The Broadway, Amersham HP7 0HL

- 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 Mrs D Thompson against the decision of Chiltern District Council.
 - The application Ref PL/18/2972/HB, dated 6 August 2018, was refused by notice dated 31 December 2018.
 - The works are described as listed building consent to retain internal partition walls.
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Decision

1. The appeal is dismissed, and listed building consent for internal partition walls is refused.

Preliminary Matters

2. As the proposed works relate to a listed building, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The appellant has confirmed that the works described in the drawings have been completed. Though the works do not reflect entirely the layout shown on the floor plan, this has not affected my determination of the appeal.

Main Issue

3. The main issue is whether the works preserve the grade II listed building, given as 1 3 5 7 9, Broadway in the listing, and any features of special architectural or historic interest that it possesses.

Reasons

Special interest and significance

4. This timber-framed building was listed in 1958 for group value and is described as C15 and later, being re-fronted in the C18. No 5 is the upper floor of the rear wing, four bays in length. The Council considers that the building had a high status, possibly as a guildhall or manorial hall or Wealden house to the front, with the large rear wing, incorporating a purpose-built upper floor, used as a maltings. It suggests that the upper floor of the rear wing was originally a long, open space, and points to stave holes on the underside of the tie between the first and second bays from the road end of the building suggesting a partition may have been installed there.
 5. Without more detailed information on the construction of the building or inspection inside the high level section of the roof, I am unable to confirm its structural system. However, from what I could see of the exposed sections of
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the trusses, their collars, pegged corner braces and posts, as well as the arrangement of openings and framing in the walls, the structure of the roof of this section appears to be broadly contemporary to the rest of the building, dating from the C15. Significantly, photographs of the first floor show the three intermediate trusses spanning across to the external walls of the building, apparently without intermediate, vertical support, confirming the Council's suggestion that this may be a queen post roof.

6. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with the roof and the first floor of this rear wing, and the contribution of these elements to the significance of the whole listed building.

The effect of the works

7. Without an accurate plan of the layout and the details of each truss before these works were completed, it is difficult to establish precisely the changes for which consent was sought. It is not clear if it was the works in the application the subject of this appeal which infilled the space above the ties of the trusses. There is no substantive evidence that the trusses were originally infilled. Given the framing system of the building, this truss infilling alone has had a diminishing effect on the architectural character of the roof structure. It has reduced the legibility of the joinery of the trusses and the continuity of each truss, both individually and as part of the whole roof structural system, notable for the length of the cross-span, the continuity of each tie, and their curved braces. The distinctive vertical, spatial character of the C15 roof has been truncated by the truss infilling. The architectural integrity of the whole roof structure, and its historic significance, whether it was used as a maltings or not, has been diminished.
8. Notwithstanding this infilling within the trusses, and assuming these infills were already in place at the time of the works in this appeal, the solid nature of the partition walls below the trusses, and in particular those running perpendicularly between them, only exacerbates the architectural and spatial disconnection between the tortuous, enclosed layout of small spaces resulting from these works, and the distinctive span and height of the historic roof structure and its simple bay layout, the significance of which has been further diminished. The overall spatial effect on the first floor as a result of the partition walls which are clearly part of these works, has been to further undermine the historic and architectural significance of the roof structure.
9. The appellant argues that the special interest and significance of the building does not lie in the openness of the first floor and roof, but in its linkage to the adjoining buildings, its façade, and internal woodwork. The appellant is right to identify these other aspects of special interest, but these do not lessen the special interest of the design of the roof structure, and the substantial length of its free span, the purpose of which both parties have speculated as being to provide an open-plan space in a building over two floors, consistent with the characteristics of a maltings.
10. I acknowledge that the building has developed over time. Extensions have been added and removed and uses have changed. Whatever the previous uses were, this does not change the significance of the building, the special historic and architectural interest of its structure and fabric, which have survived from the C15, and which the evidence suggests has been infilled only relatively recently.

11. I appreciate that some of the partitioning has been erected on the truss lines which diminishes the conflict between the insertion of smaller spaces under the historic roof. I note that the corridor on the entrance door side provides a degree of spatial connection between the first floor space and the roof structure. However, it is limited in extent and does not mitigate the truncation elsewhere. The harm to the special architectural and historic interest of the roof remains, particularly towards the road end of the roof, where low ceilings have been inserted below the trusses, truncating the layout both vertically and horizontally from the space of the first floor as a whole.
12. The appellant accepts that the works have altered the previously relatively open layout of the first floor and agrees that some openness has been lost. However, in my view, the works have not only diminished the special architectural interest of the first floor and roof; the historic significance of the timber-framed building as a whole has been undermined by these works.

Planning balance

13. I conclude that the internal walls have not preserved the special architectural and historic interest of the listed building, contrary to the clear expectations of the Act. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Although the degree of harm here is less than substantial, this does not equate to a less than substantial planning objection, especially where the statutory test is not met.
14. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimal viable use of listed buildings. The appellant describes how the works allow the building to continue to be used by a long-standing business, which supports jobs and the local economy. However, while I recognise this benefit, there is no substantive evidence that an alternative, more sensitive design approach to the interior arrangement of spaces would not allow the present use to continue, or that without these walls the use of the building would become unviable. Indeed, the appellant points out that the works are completely reversible and that the first floor could return to an open character. This public benefit does not outweigh the harm identified above.
15. In the absence of any public benefit to outweigh the harm identified above, I conclude that the works fail to preserve the special historic and architectural interest of the Grade II listed building. They fail to satisfy the requirements of the Act, paragraph 192 of the Framework, and development plan policies insofar as relevant.

Conclusion

16. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Whelan

INSPECTOR