



Appeal Decision

Site visit made on 10 December 2019

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 December 2019

Appeal Ref: APP/W3330/Y/19/3235492

1A, Johns Chip Shop, Long St, Williton, Somerset

- 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 John Newsome against the decision of West Somerset Council.
 - The application Ref 3/39/19/010, dated 15 March 2019, was refused by notice dated 3 July 2019.
 - The works are retaining bird deterrent spikes on roof ridge.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the works have preserved the Grade II listed building, its setting or any features of special architectural or historic interest which it possesses.

Reasons

3. The appeal site is part of the Grade II listed building known as Nos 1 & 3 Long Street. The appeal building is a short terrace of thatched cottages that round the corner of Long Street in the centre of Williton. The appeal concerns the end of the terrace property, which has a ground floor shopfront, a former bakery, now a fish and chip shop.
4. The statutory list description identifies the building as being a shop and cottage dating from the 17th century. The building is listed for its group value (GV) as being of special architectural interest as an entity. Some of the key attributes of the building's special interest and significance lie in its age, any surviving historic fabric and the manner of its execution. The consistency and authenticity of material treatment, distinguished by the softly-moulded thatched roof, reflect the local vernacular and contribute to the building's local distinctiveness.
5. I saw during my site visit that the works have already been undertaken and have involved the installation of metal bird spikes along the thatched roof ridge of the appeal building. The spikes run between two chimney stacks and then approximately two thirds the length of the ridge to the next stack along in the terrace group. Notwithstanding the individual spikes are relatively fine, they

are noticeable, particularly from the raised ground of the public car park opposite the appeal site.

6. The introduction of bird spikes to the ridge of the appeal building has introduced a non-traditional material, which has undermined the consistency and authenticity of materials that are intrinsic to the listed building's significance. Moreover, the bird spikes terminate part way along the ridge of the listed building. While this probably reflects the extent of the building under the appellant's control, it serves to emphasise an inconsistency. As a consequence, the building's group value as an entity has been weakened.
7. In light of the above, I find that the bird spikes have failed to preserve the special interest and significance of the listed building and have caused harm. Given the scale and nature of the works, the degree of harm to the heritage asset has been less than substantial. Paragraph 196 of the National Planning Policy Framework, revised February 2019 (the Framework), requires this to be weighed against the public benefits of the proposal, including securing the asset's optimum viable use.
8. The works have been undertaken in order to deter seagulls and crows, and to prevent them from causing damage to the thatch, which has been replaced relatively recently. Given that only part of the terrace's thatched roof has the spikes, this calls in to question whether the metal spikes are necessary. Even if birds were causing serious damage, there is nothing to indicate that metal spikes along the ridge are the only way to prevent bird attack or that they are the least harmful way of securing the conservation of the listed building. I recognise that repairing thatch might be costly, and that the appellant has invested substantially in the up-keep of the building since taking ownership of it. However, this does not justify making changes to the building that have failed to preserve its significance and special interest, nor does it indicate that those changes are necessary to secure the building's optimum viable use.
9. Although I have found the overall harm to be substantial in this case, public benefits do not outweigh the harm. The works have failed to preserve the listed building, and its features of special architectural interest, contrary to the clear expectations in Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990. There is also conflict with the historic environment policies within the Framework and with Policies NH1 of the West Somerset Local Plan to 2032, November 2016, insofar as it seeks to sustain or enhance heritage assets and their settings.

Conclusion

10. Bearing in mind the considerable importance and weight I must afford to the desirability of preserving a listed building, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR