
Appeal Decisions

Site visit made on 11 November 2019

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an Inspector appointed by the Secretary of State

Decision date: 17 December 2019

Appeal A Ref: APP/X0360/W/18/3214613

The Poor's House, Part Lane, Swallowfield RG7 1TB

- 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 Sean Taylor against the decision of Wokingham Borough Council.
 - The application Ref 181210, dated 27 April 2018, was refused by notice dated 2 August 2018.
 - The development proposed is the demolition of existing detached garage and store, two storey side extension and single storey rear extension.
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Appeal B Ref: APP/X0360/Y/18/3214638

The Poor's House, Part Lane, Swallowfield RG7 1TB

- 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 Sean Taylor against the decision of Wokingham Borough Council.
 - The application Ref 181209, dated 27 April 2018, was refused by notice dated 2 August 2018.
 - The works proposed are the demolition of existing detached garage and detached store building, two storey side extension and single storey rear extension.
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Decisions

Appeal A Ref: APP/X0360/W/18/3214613

1. The appeal is dismissed.

Appeal B Ref: APP/X0360/Y/18/3214638

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The appellants have submitted revised plans with the appeal, which include alterations to the link between the existing and proposed building. I shall return to this below.

Main Issues

4. The appellant submitted a bat survey with the appeal, in the light of which the Council has withdrawn its third reason for refusal, which concerned their
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protection. I have no reason to disagree with its conclusions on this matter. Therefore, the main issues are:

- whether the proposal would preserve the grade II listed building and any of the features of special architectural or historic interest that it possesses;
- its effect on the Area of Special Character; and,
- whether it would provide safe access and egress in the event of a flood, and whether it would increase flood risk elsewhere.

Reasons

The listed building

5. This timber-framed building which was listed for its group value, is described in the listing as a hall house from the early C16, altered in the C17 and C20, with a 2-bay framed hall and one service bay and solar on the east end. The other listed cottages in the area date from a similar period and appear to share the historic scale and character of isolated C16 agricultural dwellings of those working the land surrounding and between them. I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the surviving historic form and fabric of the building together with the bearing of the open aspect of the land around it.
6. The space around the building has been developed with what appears to be a large, modern, 2-storey section set at right angles to the original building and attached to its east end, together with some outbuildings. The modern section effectively forms a short north wing, and a longer south wing. The expansive, flat, open land around the original building remains largely intact, and is reflected in the arrangement of the surrounding listed buildings on their plots, which have a broadly similar footprint and scale as the original section here.
7. There is no objection from the Council as regards any historic fabric as the interface of the proposal is confined to the modern section. The ground floor extension of the modern section would be modest in height and footprint. The portion of it which would stand no further north of the external wall of the utility room would be behind the modern section, away from views of the original building. Because of its scale and displacement from the original section, it would not harm the special historic and architectural interest of the building.
8. Notwithstanding this, there is a delicate balance between the expansion of the modern section and the retention of a scale of development and space around the original building which is appropriate to its historic and architectural significance. The original section is a critical part of the significance of the building and the value of the group, in which most of the historic interest lies.
9. Notwithstanding the criteria established in *Bernard Wheatcroft Ltd v Secretary of State for the Environment* [JPL, 1982, P37] about amended plans, even if I were to accept the drawings submitted with the appeal which show an amended design, the 2-storey extension would still extend the north wing substantially, reducing still further the position of the original cottage in the hierarchy of forms of the building.

10. The cumulative effect of the modern extensions together with this proposal would be to overwhelm the more modestly scaled cottage, diminishing its architectural significance and the legibility of its historic interest. Furthermore, the 2-storey extension would have an enclosing effect on the space around the original section, truncating its direct connection with the open land around it. This would weaken the coherence of the relationship the group of listed buildings share between the scale of the original buildings and the expansiveness of the land around them.
11. I have taken into account the existing outbuildings which stand approximately on the site of the 2-storey extension. However, they are shorter than this proposal and more significantly, their separation from the house reduces their enclosing effect.
12. The building and landscape effects of this proposal would not preserve the special architectural and historic interest of the grade II listed building, contrary to the clear expectations of the Act. It would conflict with policy TB24 of the Managing Development Delivery Local Plan 2014 (LP) which requires works affecting heritage assets to conserve and where possible to enhance the special architectural or historic interest of the building.
13. Paragraph 193 of the National Planning Policy Framework 2018 (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. However, this does not equate to a less than substantial planning objection, particularly so where the statutory test is not met.

The Area of Special Character

14. The building stands in an Area of Special Character, which the Council explains was designated because of the relationship between the historic buildings along the road. It encompasses the neighbouring listed buildings and their close plots.
15. Policy CP11 of the Core Strategy 2010 (CS) requires residential extensions outside development limits not to result in inappropriate increases in the scale, form or footprint of the original building, and MDD policy TB26 requires proposals in Areas of Special Character to demonstrate that they retain and enhance the traditional, historical and special character of the building or area and its setting.
16. Having found harm to the special architectural and historic interest of the listed building as identified above, it follows that the proposal would cause some harm, albeit limited, to the quality of the environment outside the development limits, placing it in conflict with CS policy CP11 and LP policy TB26.

Flood risk

17. The building stands in flood zone 3A (high probability of flooding), around 350m from the River Blackwater. Its extension would add a built footprint of around 110m² to the house, however, this would be over an already impermeable, paved terrace, which would reduce the run-off effect of this additional footprint. Moreover, the proposal would require the demolition of

the garage and store which have a footprint of around 58m², and the appellant proposes to increase the permeability of the paved areas in the garden, which could be secured by condition. In these circumstances and given the very low density of development in the area, I see no material harm to the storage capacity of the site and no significant risk of the development increasing the flood risk elsewhere.

18. The extension would have wider sustainability benefits to the community, and it would not increase the occupancy of the house by a significant degree. Measures to fix floor levels and to incorporate flood resilience and resistance could be secured by condition. Its access and egress, which have not been identified as unsafe, would remain as present, in the direction away from the river, on Part Lane.
19. I acknowledge that the application was not accompanied by a flood risk assessment. However, on the basis of the information submitted with the appeal and finding no conflict with the flood risk issues for minor development identified in the Planning Practice Guidance¹, I find that the proposal would provide safe access and egress and it would not increase flood risk elsewhere. There would be no conflict with CS policy CP1 and LP policy CC09 which seek proposals that avoid increasing flood risk and that provide safe schemes, nor with section 14 of the Framework.

Planning balance

20. Notwithstanding the proposal's retention of safe access and egress and noting that it would not increase flood risk elsewhere, it would nonetheless fail to preserve the special historic and architectural interest of the listed building and it would harm the Area of Special Character. I give this harm considerable importance and weight in the planning balance of these appeals.
21. Paragraph 196 of the Framework advises that harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal. I appreciate that the development would provide additional living space, however, this would be of little benefit to the public at large; it is not a public benefit. In the absence of any public benefit to outweigh the harm identified above, I conclude that the works would fail to preserve the special historic and architectural interest of the grade II listed building. It would fail to satisfy the requirements of the Act, paragraph 192 of the Framework and the policies of the development plan.

Conclusion

22. For these reasons, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

Patrick Whelan

INSPECTOR

¹ Paragraph: 047 Reference ID: 7-047-20150415),