



Appeal Decision

Site visit made on 3 February 2020 by Ben Phillips Bsc Msc

Decision by K Taylor BSc (Hons) PGDip MRTPI

An Inspector appointed by the Secretary of State

Decision date: 04 March 2020

Appeal Ref: APP/P0119/D/19/3243981

Magnolia House, Cloisters Road, Winterbourne BS36 1LL

- 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 Miss Claire Pearce against the decision of South Gloucestershire Council.
 - The application Ref P19/4162/F, dated 13 April 2019, was refused by notice dated 18 October 2019.
 - The development proposed is described as a two storey rear extension and porch to front.
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Decision

1. The appeal is dismissed

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Amended plans were submitted to the Council moving the extension slightly away from the side elevation. These amended plans (drawings PL03A and PL04A) were considered fully by the Council and therefore I have determined the appeal on the basis of these revised drawings.

Main Issue

4. The main issue in this case is the effect of the two storey rear extension on the setting of the Grade II listed Hicks Farm.

Reasons for Recommendation

5. The appeal site lies adjacent to the Grade II listed building known as Hicks Farm. This large detached dwelling is, it is understood, currently in use as a House in Multiple Occupation, and is the original (and subsequently extended) farmhouse of the wider farm, now separated and developed. From the listing description, and other evidence before me, I consider that the significance of the designated heritage asset relates primarily to the age, form and historic fabric of the building, particularly the original part, and the specified features of special interest. Under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I am required to have special regard to the desirability of preserving the building, its setting or any features of special

architectural or historic interest which it possesses. The National Planning Policy Framework (the Framework) is also clear that great weight should be given to a designated heritage asset's conservation and that its significance can be harmed by development within its setting.

6. The listed building is set back from Cloisters Road facing the open land opposite, with a large rear garden and adjacent open land, with newly built barn/garage to its north east. Surrounding the listed building to the north and west are modern suburban streets. The appeal property, Magnolia House, is a detached dwelling sited adjacent to Hicks Farm to the west and set forward of its frontage. Despite this, and the more modern development surrounding the site to the north and west, there remains a sense of open space around the Listed Building. This remaining degree of separation forms its setting which enables an appreciation of the building's uniqueness from Cloisters Road, particularly in views from the east.
7. The proposed front porch, given its minor scale and siting, would be seen in the context of the existing frontage of Magnolia House. However, the proposed rear extension would result in a substantial two storey rear projection sited on the eastern side of the rear elevation, closest to the listed building (albeit this part of the listed building is understood to be non-original). When viewed from Cloisters Road to the east, the extension would, given its siting on the eastern side of the appeal property, close the gap between the two properties, eroding the current visual separation and undermining the setting of the listed building and the way it would be appreciated in the street scene.
8. In light of the foregoing, it is concluded that the proposed rear extension would harm the setting of the listed building and would therefore be contrary to Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2006 – 2027 and Policy PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan, which collectively require development, including within the setting of listed buildings, to reach a high standard of design which safeguards, conserves and respects heritage assets.

Other Matters

9. The appellant has questioned the formal listing of Hicks Farm and set out the numerous remodelling works undertaken. However, it is not within the remit of a s78 appeal to reconsider the listed status of a building. The surrounding development to the Hicks Farm property, including the appeal property itself and the barn/garage to the rear have significantly altered the original rural context of the listed building. However, this does not minimise the harm that I have found to the current setting of the property or the weight given to this harm. Any future planning application for the barn building at the rear would be considered fully by the Council.
10. The lack of harm to the living conditions of the occupants of Hicks Farm is a neutral factor, as is the sustainability of the site. The slightly amended plans submitted do not sufficiently limit the impact that I have identified. I also understand that the appellant lived in Hicks Farm for a number of years, wishes to stay in this area and that there are examples of large rear extensions nearby. However, these examples would not match the particular circumstances of this proposal and its impact on a listed building and these factors do not lead me to alter the conclusion that I have reached.

Planning Balance

11. I find that the proposal would harm the setting of the listed building contrary to the policies of the development plan. Given the impact is only visible from one direction the harm identified would amount to "less than substantial harm", which the Framework advises must be weighed against the public benefits.
12. However, there are no public benefits to outweigh the identified harm to the setting of the listed building. The proposal would therefore conflict with the development plan as a whole and would also conflict with national policy in the Framework.

Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR