
Appeal Decisions

Site visit made on 24 February 2020

by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/H0520/W/19/3238449

Belle Vue, Washingley Road, Folksworth PE7 3SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs R Baiko against Huntingdonshire District Council.
 - The application Ref 19/01461/HHFUL, is dated 15 July 2019.
 - The development proposed is an annexe and minor internal work.
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Appeal Ref: APP/H0520/Y/19/3238450

Belle Vue, Washingley Road, Folksworth PE7 3SL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr & Mrs R Baiko against Huntingdonshire District Council.
 - The application Ref 19/01462/LBC is dated 15 July 2019.
 - The works proposed are an annexe and minor internal work.
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Decision

1. The appeals are dismissed.

Preliminary Matters and Main Issue

2. The appeals were made against the failure of the Local Planning Authority to give notice of their decisions on the applications within the statutory period. Subsequent to the making of the appeals the Council confirmed that they would have refused the applications. I have treated their statement of case as the decisions the Local Planning Authority would have made, had they been empowered to do so.
3. The statement notes that the Council would have refused the applications on two grounds; the lack of information to assess the effects of the proposal on the Grade II listed Belle Vue, and the effect of the proposed annexe upon the listed building. Based on all that I have seen and read I have no reason to disagree with this analysis of the key issues.
4. Subsequently I consider the main issue in this case to be whether the proposal would preserve the special architectural and historical interest of the Grade II listed Belle Vue.

Reasons

5. Belle Vue is a late 18th century cottage which formerly would have been a pair of semi-detached properties. The building has one storey and attic, and is a timber framed and white plastered cottage with a half hipped thatched roof. There is a central painted brick chimney stack and the façade has two eyebrow dormer windows and two simple pitched roof porches. Later extensions are present on the east and west/north elevations in the form of a painted brick lean to and a pitched roof simple construction respectively. Internally aside from the extensions the property retains much of its original cell form and chamfered ceiling beams. The cottage lies in a fairly isolated rural location and is surrounded by open fields. The special interest of the cottage is largely defined by its modest simple form, design and construction redolent of the local vernacular tradition, and the preservation of many original internal features. The isolated rural setting of the cottage adds to its special interest.
6. Policy LP34 of the Huntingdonshire Local Plan¹ states that great weight and importance is given to the conservation of heritage assets and their settings, and that the Council will consider the significance of a designated heritage asset and where there is less than substantial harm this will be weighed against the public benefits of the proposal. The Planning (Listed Building and Conservation Areas) Act 1990 requires special interest to be given to the desirability of preserving a listed building and any features or architectural interest it possesses.
7. The proposed annex would be a fairly large building, with a hipped pitched roof and mansard/catslide roof on its south elevation and a ridge height of some 7.5m. From the plans this appears to be only slightly lower than the ridge height of the existing cottage. The footprint of the building would measure some 9.5m by 7.4m and would be connected to the eastern extension of the cottage by a single storey link. The effect of such a large extension, both in footprint and in height and mass would have a significant effect on the form and setting of Belle Vue, dominating the scale and proportions of the original rural cottage, adversely affecting the modest simple form of Belle Vue. In this context, I am not convinced that the proposed annexe would be read or seen as a barn; the proposed materials in the form of gault bricks and the roof design would indicate something more residential. While the proposal would be set back within the plot, the size and scale of the annexe would detract from the isolated rural setting of the cottage, further detracting from its special architectural and historic interest.
8. Internally works are proposed to widen access areas to allow wheelchair access and alter aspects of the eastern extension. Primarily these alterations would take place to the more recent extensions that have taken place to the property, as opposed to the original cottage, and based on what I saw on my site visit would not have an adverse effect on the historic fabric or internal features of the cottage.
9. The National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and any harm should require clear and convincing justification. For the reasons given above,

¹ Huntingdonshire's Local Plan to 2036, Huntingdonshire District Council May 2019.

I consider the proposal would result in harm being caused to the significance of this listed building. However, given the limited effect on the original part of the cottage, I am satisfied in this case that the degree of harm caused would be less than substantial.

10. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. Planning Practice Guidance states that public benefits could be anything that delivers economic, social or environmental objectives as described in the Framework, and that they should be of a nature or scale to be of benefit to the public at large and not just be a private benefit, but that they do not always have to be visible or accessible to the public in order to be genuine public benefits, with works which secure the future of a listed building being a public benefit. Examples are provided of heritage benefits, such as sustaining or enhancing the significance of a heritage asset and the contribution of its setting, reducing or removing risks to a heritage asset, or securing the optimum viable use of a heritage asset in support of its long term conservation.
11. The extension would enhance the appellants' enjoyment of the property and contribute to continuing custodianship of the asset. In this respect I note the work undertaken by the appellants on the property towards reducing and removing risks to the building and noted on my visit that works will still be required in the near future. I noted the very low height of the ceilings and the difficulty in terms of accessibility that the historic building currently provides and that the extension would assist the appellants health and wellbeing. However, the property appears to function as a dwelling already and is in its optimum use and whilst the proposal would bring various private benefits, what public benefits there might be are insufficient to outweigh the harm caused.
12. Therefore, I consider that the proposed extension would cause less than substantial harm to the significance of this Grade II listed building and would not preserve its special architectural or historic interest. It has not been shown that public benefits would outweigh this harm, and the proposal would conflict with the Framework and the Local Plan Policy LP34.
13. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. A range of evidence has been submitted concerning the health of one of the appellants, including evidence and support from their General Practitioner, their Consultant, and the Department of Work and Pensions. There are also letters of support from local residents and neighbours.
14. It is clear that the proposal would provide significant benefits in terms of assisting the appellant with their accessibility needs and potentially in relieving pain. The proposed annex, in providing an accessible ground floor bedroom, sitting area and wet room would clearly greatly assist in this regard and I have a great deal of sympathy for the appellant. However, I have little evidence over the required space for such spaces, other than reference to building regulations; for instance whether the sitting room would be fully required given proposed internal changes to allow better access to the eastern ground floor room of the listed building, or the necessity of the upper floor 'storage area'. As such, regretfully I am of the view that such considerations do not in this instance and based on the evidence provided outweigh the conflict with the development plan that the scheme would cause.

15. The appellant raises concerns over the manner in which the Council dealt with the applications. Complaints concerning the conduct of the Council should be submitted in the first instance through the Council's own complaints service.
16. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should fail and planning permission and listed building consent refused.

Jon Hockley

INSPECTOR