
Appeal Decision

Site visit made on 10 June 2020

by H Porter BA(Hons) MScDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 12 June 2020

Appeal Ref: APP/B1605/Y/20/3244997

21 Royal Parade, Summerfield House, Bayshill Road, Cheltenham GL50 3AY

- 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 Emma Lawrence (Cambray Property Management) against the decision of Cheltenham Borough Council.
 - The application Ref 19/01781/LBC, dated 4 September 2019, was refused by notice dated 4 December 2019.
 - The works proposed are to carry out essential repairs to the roof over flat 4.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The description of works in the banner heading above is taken from the Council's decision notice.

Main Issues

3. The main issues are whether the proposed works would preserve the Grade II listed building; and whether the character and appearance of the Central Conservation Area would be preserved or enhanced.

Reasons

4. 21 Royal Parade is the end-of-terrace Victorian townhouse that forms part of the Grade II listed building known as 1 – 21 (consecutive) Royal Parade and attached railings to Nos. 1, 3, 4, and 5, and within the Central Conservation Area (CA). I am mindful of my statutory duties in respect of both listed buildings and conservation areas.
5. The statutory list description identifies the listed building as being mid-19th century, brick with ashlar facades and slate roofs with part-wall brick stacks and wrought-iron balconies, railings and veranda. The listed building presents a handsome frontage to Bayshill Road ornamented with stone detailing and decorative ironwork that reflects the neo-Classical architectural aesthetic of the mid-19th century. The significance and special interest of the listed building are derived in part from the architectural composition of the primary elevation and the integral contribution it makes to the wider streetscape. Significance also stems from the building's historic integrity to which materials, fabric and execution contribute.

6. The appeal site is situated in the Bayshill Character Area of the CA, which is broadly characterised by wide streets fronted by uniform terraces and large villas, where elegant neo-Classical architecture and detailing pervades. The listed building links with the historic speculative Victorian development of Cheltenham and also makes a positive contribution to the built backcloth that defines the Bayshill Area. Thus, the appeal site is of value to the character and appearance of the CA as a whole and to its significance as a designated heritage asset.
7. No. 21 has been subdivided into flats and the proposed works are intended to rectify an ongoing issue with damp and water ingress that is affecting Flat 4 on the top floor of the building. The recommendation has been made to the appellant that repointing and decorating is required and assumes the damp to be caused by defects in the coping stones. In order to address damp in the bathroom, it is proposed to affix a 3m length of 'code 6' lead to the coping on the building's side elevation and 6m to the rear.
8. The only scale drawing submitted with the application is an un-annotated drawing of the building's Fauconberg Road elevation (1:100). There is no indication on any plans where the affected bathroom is in relation to the works being proposed to the exterior. The areas of proposed works are indicated by a crudely drawn red line on two photographs, on which the red line differs between the two. Having been drawn on a zoomed-in photograph, neither shows clearly a definable area for the proposed works. The exact scope of the works proposed is vague and the level of supporting detail insufficient to give certainty as to how the listed building would be affected.
9. There is no objection to the principle of remedying damp and water ingress. However, the information submitted fails to give necessary assurance the least invasive and ultimately effective approach has been sought. It is unclear whether recommendations by a roofer to rake-out, re-point and redecorate following removal of plant growth have been carried out. Potentially, cracking and defective areas, other than the top of the copings, could be contributing to damp and water ingress. The existence or introduction of cement or non-breathable masonry paint or another coating could ultimately trap moisture into stonework rather than preventing its ingress. Currently, proposed works are unclear and, at worse, would impose an alien and potentially damaging material change half-way along the building's side elevation.
10. The proposed works could lead to harm to the fabric, continuity, integrity and thereby significance of the listed building. Materially diminishing the special interest of a listed building within a conservation area, prominently located such as in this case, the character and appearance of the CA as a whole would be incrementally harmed. The magnitude of the harm to the heritage assets would be less than substantial, which the National Planning Policy Framework, revised February 2019 (the Framework) requires be weighed against the public benefits of the proposal, including securing its optimum viable use.
11. I have no doubt that the proposals are borne of good intentions to rectify issues within the building's fabric. However, the limitations of the information provided fails to give necessary justification for the works or assurance that they would be either effective or not in themselves harmful. Public benefits associated with the conservation of the building are uncertain. On the other hand, the overarching statutory duties carry considerable importance and

weight. This leads me to conclude that public benefits would not outweigh the material harm to designated heritage assets.

12. As a consequence, the proposed works would run contrary to the expectations under 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Conflict also arises with Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, 2017, which seeks to conserve and enhance the significance of heritage assets. The proposal would also fail to accord with the historic environment policies within Framework.

Conclusions

13. For the reasons given above, I therefore conclude that the appeal should be dismissed.

H Porter

INSPECTOR