
Appeal Decisions

Site visit made on 10 June 2020

by H Porter BA(Hons) MSc Dip IHBC

an Inspector appointed by the Secretary of State

Decision date: 18 June 2020

Appeal A Ref: APP/J3720/W/20/3246883

Bassett Cottage, Back Street, Ilmington, Warwickshire CV36 4LJ

- 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 Selina Brown against the decision of Stratford on Avon District Council.
 - The application Ref 19/01880/FUL, dated 3 July 2019, was refused by notice dated 4 October 2019.
 - The development proposed is demolition of 20th century additions, to be replaced with a new porch and rear extension and conversion/restoration of bothy.
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Appeal B Ref: APP/J3720/Y/20/3246918

Bassett Cottage, Back Street, Ilmington, Warwickshire CV36 4LJ

- 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 Selina Brown against the decision of Stratford on Avon District Council.
 - The application Ref 19/01881/LBC, dated 3 July 2019, was refused by notice dated 4 October 2019.
 - The works proposed are the repair of Bassett Cottage and demolition of 20th century additions, to be replaced with a new extension, porch, conversion/restoration of bothy and replacement roof lights.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Main Issues – both appeals

3. The main issues are the effect of the proposed works and development on the setting, special architectural and historic interest of the Grade II listed Bassett Cottage and the Grade I listed Church of St Mary; the effect on the character and appearance of the Ilmington Conservation Area (CA); and the effect of the proposals on protected species.

Reasons – both appeals

4. Bassett Cottage is a Grade II listed building situated in the Ilmington Conservation Area and Cotswolds Area of Outstanding Natural Beauty. The appeal site is proximate to the church and yard of the Grade I listed Church of St Mary.

5. In considering whether to grant planning permission or listed building consent, the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires decision-makers to have special regard to the desirability of preserving the listed building, its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
6. Bassett Cottage dates from the mid-to-late 18th century, is two-storied, constructed of coursed Cotswold stone. The statutory list description identifies the group value of the listed building, which also features a dentilled brick eaves cornice, tile roof with brick end stacks, two-window range, and two-unit plan. A detached outbuilding or 'bothy' of some vintage featuring a timber roof structure stands in the rear garden and is curtilage-listed to Bassett Cottage.
7. Bassett Cottage is discernibly older than its attached neighbours, and its historic extent still legible. Despite its extension and modification over time, Bassett Cottage has retained the integrity of a simple, modest dwelling typical of the local vernacular. The building's overall form, modest proportions, traditional materials and minimal detailing denote the building's integrity and authenticity. These features underpin the building's significance and special interest, and its group value within an historic rural village setting.
8. The appeal site lies at the heart of the historic core of Ilmington, an attractive and historic village in a largely rural area. Bassett Cottage is part of the area's built-backcloth of traditionally constructed stone dwellings. As such, Bassett Cottage contributes aesthetically and historically to the special interest of the CA as a whole and to its significance as a designated heritage asset.
9. The Church of St Mary is a Grade I listed building, which is visually and historically a central feature within Ilmington. In addition to the Church's historic fabric and architectural execution, the significance of this highly graded heritage asset also derives from its position as the social and spiritual focal point of the community. This is manifest in the dominance of the building's square tower, which is prominent from public rights of way and the private houses and gardens that have evolved around it, including Bassett Cottage. The buildings and spaces that have evolved around the Church contribute to an understanding of its historic relationship with the Village. Thus, Bassett Cottage comprises part of the Church's setting that is an element of the listed building's significance and special interest.
10. The proposals would involve demolition of a c. 1970s flat-roofed kitchen extension and construction a two-storey rear extension that would include an open-plan kitchen/diner on the ground floor, and master bedroom, en-suite and dressing room on the first. A single-storey glazed link would contain a small utility and connection to the 'bothy', which would be converted to a snug. Other proposals include the replacement of the front porch with a timber flat-roofed porch; a WC on the ground floor; insertion of new staircases; partitioning to create an en-suite at attic level; and front garden re-landscaping.
11. The Council do not take issue with the principle of extending the listed building or linking with the detached outbuilding; nor do I. That said, the appeal proposals would alter the listed building considerably. Although the existing 1970s kitchen element is of limited architectural interest, the proposed extension would have almost the same footprint as the main body of the listed building and would expand, at two-storey height, across its entire width. The

rear extension would add significant bulk to the appeal building, which would substantially erode legibility of its historic form and characteristically modest proportions. Even though an outbuilding may have been attached to the rear of Bassett Cottage historically, there is no evidence to support the scale of the proposed extension, which would not be subservient in relation to the existing structure.

12. I take no issue with a contemporary design approach per se and the new elements would be constructed of quality materials, sympathetic to the appeal building and locality. However, the intersecting mono-pitch roofs would be both contrived and confusing, contradictory to the building's simple, rectangular form. Reaching above the eaves line and cutting into the pitch of the existing roof, the extension would also reduce legibility of the building's historic extent. In combination with the large chimney stack feature, the rear extension would lack architectural subtlety, appear dominant and incongruous, completely at odds with the restrained simplicity that informs the building's authenticity.
13. Even if the original rear stonework would be left exposed, the entire rear wall would be internalised and the dentilled brick eaves cornice feature obfuscated. At first floor level, the upper-storey window openings would be either covered or truncated, and legibility of their position and extent lost. The upper flight of the existing staircase appears to be of some age, if not original. Without further understanding of its significance and justification for removal of the staircase, a traditional feature would be compromised. All in all, the proposals would undermine the integrity of the building.
14. Fundamentally, the proposals would be at odds with the character of this simple, vernacular building. Causing harm to the special architectural or historic interest of Bassett Cottage, the Grade II listed building would not be preserved. The contribution Bassett Cottage makes to the architectural and historic interest of the CA would be diminished and the character and appearance of the CA as a whole incrementally harmed. The proposals would be highly prominent from the footpath that runs close to the appeal site and from the yard of St Mary's Church. The rear extension would draw the eye and be experienced as a physical and visual intrusion within the Church's setting. Detracting from the focal dominance of the Church, the significance and special interest of the Grade I listed building would, albeit in a small way, be harmed.
15. The degree of harm to designated heritage assets in this case would be less than substantial, which should be weighed against the public benefits of the proposal, including securing the optimum viable use. Bassett Cottage currently stands empty and in need of renovation and investment into its fabric to secure its optimum viable use. There would be public benefits associated with general enhancements and upgrading the fabric of the listed building and economic benefits derived from the construction phase. However, the appeal proposals would cause serious harm. A single-storey extension has been approved by the Council that, if implemented, would secure the wider public benefits identified in a less harmful way. The additional living space that the scheme before me would provide ultimately satisfies private wants and wishes of the appellant, which is not a public benefit. On balance, there are not wider public benefits sufficient to outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.
16. The proposed works and development would fail to preserve the Grade II listed Bassett Cottage; the Grade I listed St Mary's Church; and would fail to preserve the character and appearance of the CA. Conflict arises with the

expectations in Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. Conflict also arises with Policies CS.1, CS.8, CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy 2011 – 2031, 2016 (CS) that seek to ensure development contributes towards the character and quality of the District; protect and enhances the historic environment; reflects the character and distinctiveness of the locality; and, extensions are appropriate in scale and subservient in relation to the existing building.

Protected species

17. The Council have raised the possibility of bats being present at the appeal site. The existence of protected species on the site need not be an impediment to the granting of a licence by Natural England, nor the implementation of planning permission or listed building consent. However, bats and their roosts are protected by law. I have not seen any survey report or suggested mitigation, nor how any suggested measures to protect bats might affect the listed building. Based on the information before me, therefore, I consider that it cannot currently be demonstrated that the proposed works and development would not cause harm in either regard. There is therefore conflict with Policy CS.6 of the CS, which seeks to ensure development does not have an adverse effect on protected species.

Other matters

18. The Council has raised concerns regarding the impact on the living conditions of the adjacent property, Brown Beeches, through a loss of outlook. I do not agree. The wall and lean-to extension to that property already reach virtually to the top of the first-floor rear window and would consequently dominate the outlook from it. Whilst I accept that the proposed extension would be higher than the lean-to and certainly visible, I do not consider the outlook would be significantly altered to the extent that it would cause harm to the living conditions of the occupiers of Brown Beeches. I note that a silver birch tree in the front garden area may be affected by the proposals. However, had I been minded to allow the appeal, protection of this tree could have been secured by a suitably worded condition. An absence of harm in these other matters does not alter my findings in respect of designated heritage assets. Nor does the lack of objection to the scheme from neighbours, the Parish Council or statutory bodies.

Conclusions – both appeals

19. For the reasons set out above, I conclude that Appeal A and Appeal B should be dismissed.

H Porter

INSPECTOR