



Appeal Decision

Site visit made on 15 June 2020

by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2020

Appeal Ref: APP/J3720/D/20/3245412

The Old Forge, Chapel Street, Welford-on Avon CV37 8PX

- 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 Ms Karen Dickinson against the decision of Stratford on Avon District Council.
 - The application Ref 19/02495/FUL, dated 4 September 2019, was refused by notice dated 18 December 2019.
 - The development proposed is described as the 'installation of a free standing garden room, consisting of a single room internal dimensions: 7500 (W), 3500mm (D), 2240mm (H rear). External dimensions (inc roof): 8000mm (W), 4300mm (D), 2500mm(H)'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed garden room on the setting of the Old Forge, a Grade II listed building.

Reasons

3. The Old Forge lies in the heart of the village of Welford-on-Avon and is a Grade II listed building fronting on to Chapel Street. The cottage, dating from the 17th century according to the listing, is a timber framed building with plastered panels, although the north gable, facing on to the street, is faced in painted brick. The property has a linear form running roughly from north to south, with the long front of the property facing towards the east. Modern extensions to the south extend the building significantly, with the garden of the house lying to the east and south of the listed building. The rear eastern boundary of the property is shared with the beer garden of a nearby public house.
4. The proposal seeks to construct a free-standing garden room to the south east of the listed building. The building would measure some 8m long by 4.3m and would be around 2.5m high. It would be orientated north to south with the rear of the building sited reasonably close to the boundary fence with the pub beer garden. The room would be timber clad with large areas of glazing framed by grey uPVC doors. Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 states that when considering whether to grant planning permission for development which affects the setting of a listed building, special regard should be had to the desirability of preserving this setting.

5. Paragraph 193 to 194 of the National Planning Policy Framework (the Framework) says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of a heritage asset, or by development within its setting. The Framework defines setting as the surroundings in which the asset is experienced. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.
6. Policy CS.8. of the Core Strategy¹ states that the District's historic environment will be protected and enhanced for its inherent value and for the enjoyment of present and future residents and visitors, with priority given to protecting and enhancing the wide range of historic and cultural assets that contribute to the character and identity of the District, including listed buildings and their settings. Policy HE4 of the Neighbourhood Plan² states that development within the setting of a heritage asset will be supported providing it conserves or enhances the heritage asset.
7. The setting of the Old Forge includes land to the front and side of the property on Chapel Street and also includes the rear garden of the heritage asset. This peaceful green space complements the heritage asset in its linear form and allows the progression of the house from its 17th century core and later additions to be read.
8. The proposed garden room, at around 8m long by 4.3m wide, would be a substantial structure within this setting. While the wooden cladding of the room would weather in time, the size and modern characteristics of the building would appear in stark contrast to the heritage asset and would thus detract from the significance of the listed building, drawing the eye when in the garden of the property and detracting attention from the heritage asset, neither conserving nor preserving the setting of the listed building. While the later extensions to the heritage asset may be modern, their design is subservient to the historic core of the building and maintain its linear form.
9. Although the rear garden of the property may not be visible from the public area of the road and views from the pub beer garden would be substantially shielded by the boundary fence, access rights and views alter over time and I consider that the proposal would harm the positive contribution that the open space of the rear garden makes to the heritage asset.
10. I sympathise with and note the statement of the appellant as to the improvements that they have undertaken to the garden and acknowledge that this garden is fairly large and that the proposed room would not take a substantial amount of floor space when considered proportionally within it. Nevertheless, the bulk and reasonably close siting of the room to the heritage asset would cause harm where a smaller construction or differently sited room may not. In this context reference is also made to a former greenhouse of similar or larger proportions; however, I have no further evidence of this and no evidence of it appears to remain on site.

¹ Stratford on Avon Core Strategy 2011-2031

² Welford-on-Avon Neighbourhood Development Plan 2011-2031, Welford-on-Avon Parish Council.

11. When considering the provision of the Framework I consider that the scheme would cause less than substantial harm to the setting and therefore the significance of the listed building. The Framework states that such harm should be weighed against the public benefits of the proposal. The proposal would provide a useful and valuable benefit for the owners of the property; however, this would constitute a private benefit. As such public benefits would not arise to outweigh the less than substantial harm that I have identified, and to which I am required to give great weight.

Other Matters

12. The appellant raises concerns over the conduct of the Council during the consideration of the planning application, including in terms of communication and negotiation. I also note concern over the extensions to another property to the south west of the Old Forge and the appellant's statement that they did not receive consultation notifications for such extensions. Such concerns should be directed through the Council's own complaints service initially; I have dealt with the appeal on its own merits.

Conclusion

13. To summarise, I conclude that the proposal would fail to preserve the setting, and therefore the significance of the Grade II listed Old Forge. Although I have concluded that the proposed development would cause less than substantial harm to these heritage assets, I do not consider that public benefits of the proposal would outweigh the clear harm caused. As such the proposal would conflict with the Framework, Core Strategy Policy CS.8 and Neighbourhood Plan policy HE4.
14. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR