
Appeal Decision

Site visit made on 21 July 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th August 2020

Appeal Ref: APP/V0510/Y/20/3250430

Old White Horse, 13 Church Street, Isleham CB7 5RX

- 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 H Farr against the decision of East Cambridgeshire District Council.
 - The application Ref 19/01326/LBC, dated 12 September 2019, was refused by notice dated 7 November 2019.
 - The works proposed are replacement of existing rear conservatory.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs H Farr against East Cambridgeshire District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The Officer Report and Decision Notice both suggest that the proposed replacement conservatory would be constructed of brown PVCu. However, the application appears to suggest it would be constructed of white PVCu. The Council has subsequently accepted, in their Statement of Case, that the proposal would be of white PVCu. I have also determined the appeal on this basis.
4. This appeal only relates to the refusal of listed building consent, as described in the banner heading above, and does not relate to the refusal of planning permission¹.

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, 13 Church Street, and any of the features of special architectural or historic interest that it possesses.

Reasons

6. The appeal property is a two-storey house situated to the south of Church Street, which probably dates from the early 19th Century, and is Grade II listed. The house is constructed of yellow gault brick and the slate roof has a low pitch

¹ Planning Reference: 19/01325/FUL, which was also refused by the Council on 7 November 2019.

and is hipped with chimney stacks at either end. The front façade incorporates three flush frame hung sash windows at first floor and two tripartite hung sashes either side of a central doorway. There are later flanking single storey lean-to wings, with another tripartite hung sash to the right-hand side. The architecture is conscientiously organised and well-mannered, providing symmetry to the public face of the house. Whilst the later two-storey gabled wing positioned off-centre and the existing conservatory break this symmetry at the rear, the use of sash windows and other traditional joinery maintains a degree of continuity with the front façade. Given the above, the significance of the listed building is derived from its architectural and historic interest, as a 19th Century house with later additions.

7. I have noted that the existing conservatory was built following approval in 1996² and the Council latterly accepted the use of brown PVCu and no brick plinth in its construction³. The conservatory appears to be constructed of brown PVCu, except for the east-facing door, which is timber and sits in a timber frame. The remainder of the east elevation is of fixed glazed panels with discreet minimal framing. The south elevation incorporates sliding doors of similar proportions. There is dentil detailing to the eaves and the mono-pitched polycarbonate roof is subdivided to align with the windows beneath.
8. The proposed conservatory would be of a similar size but the proposed PVCu framing would be white in colour like the existing fenestration in the house. However, it would be thicker in profile than the framing of the existing conservatory and the simplicity of the vertical glazed panels would be replaced to the east elevation by smaller glazed panels subdivided with top lights and sat above a brick plinth. In addition, an awkward area would be left over from the symmetrical door and side panels on the south elevation, which would be infilled with fixed solid panelling.
9. The proposed roof would be constructed of toughened tinted solar controlled glass sheets with aluminium rafters and white PVCu capping and subdivided into five sections whereas the glazing beneath would be split into four sections. This inconsistency would further unbalance the appearance of the proposed conservatory.
10. Whilst the existing conservatory is relatively recent and elements of the proposal, including the replacement of the polycarbonate roof with a glazed roof, would represent improvements in comparison to the current structure, in my view, the proposal would not appear as a sensitive or high-quality addition to the listed building. Instead, it would incorporate greater use of non-traditional uPVC materials in a different design and form. The proposal would therefore be inharmonious with and detract from the character and appearance of the house, causing harm to the special interest of the listed building.
11. The appellant points out that the existing conservatory is only visible from the rear of the appeal property and not from any public viewpoint. However, the property is listed for its intrinsic architectural and historic interest and the visibility of the proposed works is not a determining factor in considering whether the proposals would preserve the special architectural or historic interest of the building.

² Planning Reference: E/96/0591/LB, which was for the replacement of an earlier conservatory.

³ By letter dated 20 November 1997.

12. The statutory duty in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) is a matter of considerable importance and weight. Moreover, paragraph 193 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
13. The proposal would be harmful to the special historic interest of the Grade II listed building and would have a negative effect on its significance as a designated heritage asset. In my view the harm that I have identified would equate to less than substantial harm to the significance of the designated heritage asset. In such circumstances, paragraph 196 of the Framework identifies that this harm should be weighed against the public benefits of proposals, which includes the securing of optimal viable use of listed buildings.
14. There would be improvements in terms of energy efficiency due to the roof structure which would form a public benefit in environmental terms.
15. The existing conservatory requires repair and would also improve the internal living environment of the house, which would better meet the needs of the appellant and her family. However, such benefits would be largely private.
16. I therefore conclude that the public benefits would not outweigh the great weight to be given to the less than substantial harm that I have identified. I also note the lack of local objection, although again this would not outweigh the harm I have found.
17. Given the above and in the absence of any substantiated public benefit, I conclude that, on balance, the proposed works would fail to preserve the special interest of the Grade II listed building. Hence, the proposal fails to satisfy the requirements of the Act, paragraphs 192, 193, 194 of the Framework and conflicts with Policies ENV2, ENV11 and ENV12 of the East Cambridgeshire Local Plan (April 2015) (LP) that seek, amongst other things, to ensure that proposals that affect a listed building will not be permitted where it would have a detrimental impact on the visual, architectural or historic significance of the asset. Moreover, proposals to extend or alter a listed building will only be permitted where they would be compatible with its character and architectural integrity and facilitate the long-term preservation of the building.

Other Matters

18. The appeal property is situated within the Isleham Conservation Area (CA). I have had regard to Section 72(1) of the Act, which requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Council has suggested that the listed building is a relatively high-status building by local standards and I note that the surrounding properties are of similar age, it therefore makes an important contribution to the significance of the CA. However, given that the proposal relates to works to the rear of the property, that would not be visible from within the street scene or other public areas, it would preserve the character and appearance of the CA, as required by Policy ENV11 of the LP, and thus preserve its significance. Although the Council referred to the high standard of design and materials required in a CA, I note that they raised no objection in this regard either.

Conclusion

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

Paul Thompson

INSPECTOR