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## Appeal Decisions

Site visit made on 29 July 2020

**by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 27 August 2020**

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### **Appeal A Ref: APP/Y3940/W/20/3248589**

#### **57 High Street, Corsham BN13 0EZ**

- 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 Mr Richard Harlow of A. Harlow & Son against the decision of Wiltshire Council.
  - The application Ref 19/09183/FUL, dated 24 September 2019, was refused by notice dated 6 March 2020.
  - The development proposed is for demolition of existing single storey extension and erection of replacement single storey extension and internal works.
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### **Appeal B Ref: APP/Y3940/Y/20/3248598**

#### **57 High Street, Corsham BN13 0EZ**

- 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 Mr Richard Harlow of A. Harlow & Son against the decision of Wiltshire Council.
  - The application Ref 19/09407/LBC, dated 24 September 2019, was refused by notice dated 6 March 2020.
  - The works proposed are for demolition of existing single storey extension and erection of replacement single storey extension and internal works.
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### **Decision Appeal A**

1. I allow the appeal and grant planning permission for the demolition of existing single storey extension and erection of replacement single storey extension and internal works at 57 High Street, Corsham BN13 0EZ in accordance with the terms of the application, Ref 19/09183/FUL, dated 24 September 2019 subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiry of three years from the date of this permission.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.AH2019/06 sheet 4 of 4; AH2019/06 Sheet 2 of 4; AH2019/06 Sheet 1 of 4; AH2019/06 Sheet 3 of 4.
  - 3) No development shall take place above ground floor slab level until details of the storage of refuse and recycling, including details of location, size, means of enclosure and materials have been submitted to and approved by the local planning authority. The new floor space shall not become

operational until the approved refuse/recycling storage facilities have been completed and made available for use in accordance with the approved details and shall be retained for such purposes thereafter.

- 4) No form of mechanical ventilation, air-conditioning equipment or other forms of fixed plant shall be installed on site unless otherwise first agreed in writing by the local planning authority.

### **Decision Appeal B**

2. I allow the appeal and grant listed building consent for the demolition of existing single storey extension and erection of replacement single storey extension and internal works at 57 High Street, Corsham BN13 0EZ in accordance with the terms of the application, Ref 19/09407/LBC, dated 24 September 2019 subject to the following conditions:
  - 1) The works hereby granted listed building consent shall be begun before the expiration of three years from the date of this consent.
  - 2) The works hereby approved shall be carried out in accordance with the following approved plans: Drawing No.AH2019/06 sheet 4 of 4; AH2019/06 Sheet 2 of 4; AH2019/06 Sheet 1 of 4; AH2019/06 Sheet 3 of 4.
  - 3) No works shall take place until details of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix together with details of roofing materials have been submitted to and approved by the local planning authority. The external stonework and roof shall be constructed in accordance with the approved details.
  - 4) No works shall commence on site until details of the new windows and door to be inserted into the rear of the main part of the property shall have been submitted to and approved in writing by the local planning authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.
  - 5) No works shall take place on site until details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

### **Main Issue**

3. The building is listed Grade II and is situated within the Corsham Conservation Area. The main issue in both appeals is the effect of the proposal on the architectural or historic interest of the building and its setting and on the setting of other listed buildings.

### **Reasons**

4. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural

or historic interest which it possesses. Section 72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character or appearance of conservation areas. The Wiltshire Core Strategy Policies 57 and 58 are relevant to these appeals as is the made Corsham Neighbourhood Plan Policy HE1. Collectively, these policies seek to protect the integrity of heritage assets, ensuring proposals are sympathetic and encouragement given to schemes that improve their condition.

5. 57 High Street is an end of terrace property with a retail premises on the ground floor with residential accommodation above. The listing describes it as an early 18<sup>th</sup> century house of pebbledashed rubble stone with stone tiled roof of two storeys and attic with truncated south stack. A six panelled door with hood on timber brackets offset to the right marks the entrance; a modern simple shop door and shopfront with raised pilaster to the left. Two first floor recessed cyma-moulded mullion windows with hoodmoulds reflect its origins as a house. To the rear there is an incongruous timber/ship lap annex with flat roof linking the property to a lean-to outbuilding. The proposal involves the repair of a drystone wall along the northern boundary.
6. The significance of the heritage asset is largely derived from its simple front façade, the first floor windows and its clear historical and architectural development, which contributes to the elegance of the building groups that form a highly attractive Georgian streetscape. To the rear however, the appeals site comprises a mix of architectural styles of piecemeal development and alterations over time. I agree with the appellant that the alterations to the rear have had a negative impact and the timber structure in particular harms the setting and significance of the site. Similarly, the partial falling down of the drystone walling also contributes negatively to the setting and significance of the site.
7. The internal works proposed comprise the reopening of an existing blocked doorway, the blocking of the existing narrow doorway that leads to the rear room and the widening of the existing rear doorway that would link the main structure with the proposed extension. I agree with the Council's Conservation Officer as described in the case officer's report that the loss of historic fabric arising from the internal alterations is small and would not disrupt its original plan form. The Council's refusal notice does not raise this aspect as a matter of concern.
8. The Council considers that the proposed extension and the extent to which that aspect of the scheme would fill the rear yard would harm the character and appearance of the listed building. However, in my view, the uncomplicated detailing of the extension and glazed link, along with the use of traditional walling and roofing material would complement the proportions and vertical emphasis of the rear elevation and retain the traditional window mullions at the rear. The enlarged partial flat roof and mono-pitch would improve the appearance of the roofline whilst the glazed link would be relatively small and would sit comfortably within the recess at the rear of the building. The lightweight form of the glazed element would also allow clear appreciation of the original façade behind. Although the extension would occupy a greater area than the present arrangement at the rear, this would not be significant in terms of character and appearance given my findings.

9. Consequently, I do not consider that either the internal works or the extension would harm the significance of the listed building or its immediate setting. However, in reaching this view, it is clear that the loss of the stone storage outbuildings would harm the significance of the listed building as it would result in the loss of historic fabric and of modest historic interest. This loss would affect only small later parts of the listed building but nonetheless would be harmful to its significance as a heritage asset and its development over time. The harm using the parlance of the National Planning Policy Framework (the Framework) would be less than substantial. The Framework directs that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. I therefore attribute considerable importance and weight to this harm, which the Framework also indicates should be weighed against the public benefits of the scheme.
10. The rear of No.57 is not open to wider public view. However, from private properties including from the neighbouring listed building at No.59 and from the recently built dwelling to the rear of the site, the impact of various unsympathetic additions to the composition of the original façade is readily apparent. The present condition of the rear yard area has a negative impact in terms of character and appearance. The replacement of the present structures by a well-designed extension would be beneficial and would preserve the setting of the adjoining listed building at No.59.
11. The proposal would provide enhanced, more usable accommodation for the commercial activity at the premises. The Council considers that this would be insufficient to outweigh the loss of historic fabric although does not provide reasons for so concluding. I am of the view that securing the optimum viable use of a heritage asset weighs heavily in its favour and be more so having regard to the design and sympathetic use of materials. For these reasons, the proposed harm that I have identified is clearly outweighed by the public benefits that would arise from the proposal. The proposals would therefore comply with the requirements of the Framework as well as with the local development plan policies that are cited above.

#### Other matters

12. Given my findings above in relation to what is proposed and my observations during my site visit, I consider that the proposed extension would at the very least preserve the character and appearance of the Corsham Conservation Area in the terms set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. Public concern has been expressed by a number of local residents and echoed by the Town Council that the building is destined to be used as a funeral director's business to include a mortuary and that this would be contrary to the Town Council's Strategic Plan, which sets out, amongst other things, to explore measures to enhance the High Street experience for residents and visitors as well as fostering the ethos of a 'Cultural Corsham'. However, as no change of use is proposed in the planning application, this matter is not before me and I am unable to consider aspects relating to the use of the premises any further, including the ability of the local highway infrastructure to accommodate servicing traffic.

## **Conditions**

14. The planning officer's report helpfully sets out conditions that the Council considers should be imposed in the event that the applications are allowed. In relation to the planning application and, in addition to the standard time limit, conditions are required to specify approved plans in the interests of providing certainty. In addition, a condition requiring approval of storage of refuse and recycling and their provision is necessary having regard to the need to preserve the character and appearance of the area. Given the close proximity of neighbouring residential properties, a condition requiring the Council's approval of any mechanical ventilation equipment is necessary to protect living conditions. In relation to the application for listed building consent, a condition is necessary to secure approved plans to provide certainty. Conditions are also required seeking further details of walling and to which I add roofing materials to ensure the quality of the construction. By the same token, conditions are necessary to agree the details of new windows and doors and also any external chimneys, flues, extract ducts, vents, grills and meter housing in the interests of protecting the character and appearance of the area and of the listed building.

## **Conclusions**

15. The extension together with internal works would not adversely affect the architectural or historic significance of the listed building, or the setting of other listed buildings and would preserve the character and appearance of the Corsham Conservation Area, in line with national, local and statutory requirements. For the above reasons, both appeals are allowed.

*Gareth W Thomas*

INSPECTOR