



Appeal Decision

Site visit made on 20 July 2020

by Beverley Wilders BA (Hons) PgDurt MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th September 2020

Appeal Ref: APP/A2470/Y/20/3248186

Flores House, 34D High Street, Oakham, Rutland LE15 6AL

- 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 Geraldine Feehally against the decision of Rutland Council.
 - The application Ref 2019/1275/LBA, dated 14 November 2019, was refused by notice dated 9 January 2020.
 - The works proposed are described as "an extension of 13.9m² to a grade 2* listed building in the Oakham Town Conservation Area. By the addition of a single storey, glazed orangery. To be set within the footprint of an existing courtyard on the south east corner of the house and in line with the principal east facing elevation".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would preserve:
 - Flores House, a Grade II* Listed Building, and any features of special architectural or historic interest it possesses; and
 - the character or appearance of Oakham Conservation Area.

Procedural Matter

3. The description of the works proposed used in the heading above has been taken from the application form date stamped 15 Nov 2019 by the Council. Another application form without a date stamp was submitted with the appeal with a slightly different description stating an extension of 12.2m² and this figure is repeated on the appeal form. However, notwithstanding the variance in the descriptions, in reaching my decision I have assessed the proposed works as shown on the submitted plans.

Reasons

Special Interest and Significance

4. Located in a prominent corner position along the High Street in Oakham Conservation Area, Flores House is included on the Statutory List at Grade II*. Flores House is described in the List Description as a medieval building probably dating from the 13th or 14th Century, much altered and now separated

into two properties. The northern and eastern-facing elements of the Listed Building are identified by the Listed Building description as 'frontages' pointing to the formalism of much of their composition.

5. The east elevation is at a right angle to and visible from High Street and contains a central portion containing the main entrance door under what the List Description describes as a 14th Century moulded arch with dripstone, and a gabled wing at either end. The southern section of the east elevation comprises a two storey element constructed from coursed stone, set back from the southern gable and fronted by a paved yard enclosed by a brick wall topped with brick copings. Though less formal in appearance and construction than other parts of the eastern elevation, it nevertheless forms part of one of the frontages of the Listed Building and its particular construction and high solid to void ratio gives it a robust appearance that contributes positively to the architectural character of the Listed Building.
6. Insofar as is relevant to the appeal proposal, the significance and special interest of the building derives from its medieval origins and from the appearance and architectural composition of the generally more formal and imposing eastern and northern elevations. Moreover, Flores House is constructed from coursed stone with cement-rendered gables under tiled and slate roofs and the solidity and integrity of this traditional materials palette and resulting robustness of its character also contribute to its special interest. The building's form, prominent siting and materials together with its age mean that it makes a positive contribution to the character and appearance of the Conservation Area.

The Proposal

7. The proposal is for the construction of a single storey, largely glazed lean-to extension on the southern part of the east elevation of Flores House. The existing brick wall enclosing the paved yard would be retained with the exception of the copings and would form the base of the glazed structure resulting in the front elevation of the proposed extension being slightly recessed from the front elevation of the southern gable on the east elevation. The part of building affected by the proposal is in use as a dwelling.

The effect of the proposal

8. There is some disagreement between the parties as to whether the proposal affects the principal elevation of the building with reference being made by the appellant to the wording used on the Council's site notice. As stated above, having regard to the appearance and architectural composition of the building and the Listing Description, I consider it to have two frontages or principal elevations, one of which would be affected by the proposal.
9. The proposed extension is relatively modest in scale and would be of a largely glazed, lightweight construction retaining views of the existing stone walling and fenestration. It would affect a recessed element of the eastern frontage which is of a more modest and functional appearance than the more formal elements between the gables. Nevertheless, and notwithstanding that it would be slightly recessed from the southern gable, it would result in the addition of an orangery/conservatory type structure to one end of the eastern frontage. This would be at odds with the otherwise generally formal appearance of this particular part of the building and would introduce an architecturally

incongruous and discordant feature of a design and materiality wholly at odds with its host elevations.

10. Lightweight in construction and appearance, the extension would be discordant with and would adversely affect the existing solidity of this part of the frontage. Moreover, the placement of the proposed extension would largely result in the loss of the existing recess and its junctions with the existing building would interrupt the composition of the elevations to which it would relate. Taken together, these aspects would result in a visually jarring addition to the Listed Building.
11. I acknowledge that the existing building is not architecturally consistent and that it incorporates a variety of architectural features and materials reflecting its development over the years (including some 21st Century accretions and alterations), some, but by no means all of which contribute to its special character. I also note the appellant's view that the proposed works are totally reversible if necessary and that the extension has been designed so as to require minimal interference with historic fabric. However, for the reasons stated above, the proposed extension would be a discordant feature and whilst technically any associated alterations may be reversible, once constructed it seems unlikely that the extension would be removed and, in any event, whilst present it would result in harm to the building.
12. Due to its incongruous appearance the extension would also fail to preserve the character and appearance of the Conservation Area. However, having regard to its position at the southern end of the eastern frontage, set away from High Street and its limited visibility from High Street or other public vantage points, its effect on the Conservation Area would be limited.
13. Taking the above matters into consideration and mindful of the duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, I conclude that the significance of the special interest of the Grade II* Listed Building and the character and appearance of the Conservation Area would not be preserved.

Other Matters

14. The appellant states that the proposal would significantly increase the amount of natural light in the kitchen of the property; would improve thermal gain, accessibility and security and that this would reduce household costs and improve facilities for both present and future occupiers making the property more attractive to future purchasers, thereby ensuring it is well maintained. Though most benefits would be private, energy demand reduction may be reasonably considered to be a public benefit, though one of limited weight given the modest scale of the proposal and lack of substantive detail regarding this matter.
15. The proposal would result in a number of improvements to the living conditions of current and future occupants of the building including some potential increase in natural light penetration to the property, and in terms of thermal efficiency gains, accessibility improvements and security enhancements noted above. Nevertheless, it has not been demonstrated that the appeal scheme would be necessary to secure a continued use of the property consistent with its conservation. It has not therefore been established that the appeal scheme would be necessary to secure the optimum viable use of the building.

16. I note that no objections have been raised to the proposal by the Town and Parish Councils or by any other interested parties. However, this is not a benefit of the appeal scheme, but rather a neutral factor that weights neither for nor against the proposal in the overall balance.

Planning Balance and Conclusion

17. The National Planning Policy Framework (the Framework) anticipates that once a finding of harm to the significance of a heritage asset, such as a listed building or conservation area, has been reached, then the magnitude of that harm should be assessed. In this case, I conclude that the proposal would clearly cause less than substantial harm to the significance of the Grade II* Listed Flores House and the Conservation Area when considered in the context of their significance as a whole. Nevertheless, at paragraph 193 the Framework sets out that great weight should be given to a heritage asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Moreover, at paragraph 196 the Framework states that the harm should be weighed against the public benefits of a proposal. Such benefits could include circumstances where a proposal would secure the optimal viable use of a building.
18. For the reasons given above, the proposed works would not result in the optimum viable use of the building. Moreover, the public benefit of the appeal scheme would be limited and would not be of a sufficient weight to tip the overall planning balance in its favour when set against the great weight and importance I attach to the harm which would be caused to the significance of the heritage assets. In this way, the works conflict with the Framework insofar as, amongst other matters, it requires heritage assets to be managed in a manner appropriate to their significance. For the same reasons the proposed works would conflict with Policy CS22 of the Rutland Core Strategy adopted July 2011 and Policy SP20 of the Rutland Site Allocations & Policies DPD adopted October 2014¹. These policies seek, amongst other things, to ensure that the quality and character of the built and historic environment of Rutland will be conserved and enhanced.
19. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR

¹ Rutland Local Plan Site Allocations & Policies Development Plan Document adopted October 2014