



Appeal Decision

Site visit made on 4 September 2020

by Beverley Wilders BA (Hons) PgDurp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2020

Appeal Ref: APP/C3105/Y/20/3251498

Cedar Lodge, North Side, Steeple Aston OX25 4SE

- 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 & Mrs A Pasteur against the decision of Cherwell District Council.
 - The application Ref 19/02465/LB, dated 4 November 2019, was refused by notice dated 27 January 2020.
 - The works proposed are creation of a jib door and associated stair.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve Cedar Lodge, a Grade II Listed Building, and any features of special architectural or historic interest it possesses.

Reasons

Special Interest and Significance

3. Cedar Lodge is included on the Statutory List at Grade II. It is set back from the road behind a high stone wall and timber gates and is within the Steeple Aston Conservation Area. Cedar Lodge is described in the List Description as a substantial house, possibly originally mid-18th Century, remodelled late 18th Century and extended in the 19th Century. It is of a double depth plan with service ranges. A report on the detailed assessment of the architectural history of the building has been produced by Steeple Aston Village Archive (SAVA) and in reaching my decision I have had regard to the SAVA report.
4. The main Listed Building comprises two elements, the 'main range' or 'principal house' which is taller in height comprising two storeys plus attic level and a two storey former 'service wing' which is lower in height and positioned to the side of the 'principal house'. Although from the evidence there appears to be some uncertainty as to which part of the main Listed Building was constructed first, the two elements were nevertheless joined at some point and there appears to be agreement between the parties that the lower element of the building was previously used as a service wing, albeit that it may also have been used to house children and guests. Both wings are now in use as a single dwelling.

5. The differing scale and stature of the two elements is commensurate with how the Listed Building was previously used with the 'principal house' comprising larger, grander rooms with high ceilings as opposed to the smaller rooms and lower ceiling heights within the former service wing. At my visit I saw that there are two existing links at ground floor and one at first floor between the two elements of the Listed Building.
6. Insofar as is relevant to the appeal proposal, the significance and special interest of the building derives from its hierarchical plan form and architectural composition which reflects the historic use and evolution of the Listed Building and the social functions of its internal spaces. The building's form, siting and materials together with its age mean that it makes a positive contribution to the character and appearance of Steeple Aston Conservation Area.

The Proposal

7. The proposal is to construct a jib door opening between a bedroom in the 'principal house' and a dressing area/study in the 'service wing'. The change in levels between the two elements of the building means that a staircase and 'top hat ceiling' would also need to be constructed in the dressing area/study.

The effect of the proposal

8. As stated, the external and internal scale of the two elements of the building differ resulting in them having a markedly different character reflective of their historic uses. There are existing door openings at both ground and first floor linking the two elements of the building together enabling it to be used as a single dwelling with primary accommodation located throughout the building. However, the building's plan form and the hierarchical separation of the two main elements has not been diminished as a result of these openings.
9. Although there is also a suggestion from the appellants that a blocked opening in the 'principal house' may have provided a link between the attic level of the house and the service range, there is no substantive evidence before me which would support this claim.
10. Unlike the existing first floor link which is along a hallway and where floor levels are very similar, the proposed jib door opening would directly link two rooms from clearly distinct elements of the building. It would require a significant amount of alteration to accommodate the change in levels between these two rooms including an increase in the ceiling height within the smaller room. Consequently, the proposal would substantially erode the physical and historical functional separation between the two elements of the building and would alter its historic plan form. The proposed changes would mean that the social function of the building's spaces and their physical separation, an aspect that contributes to its special interest and significance, would be obscured, which would impair understanding and appreciation of the building's historic evolution and use.
11. In addition, it would result in the loss of historic fabric through the removal of walling and potentially through the removal of an area of lath and plaster ceiling and a number of ceiling joists, though it is unclear from the evidence whether the ceiling and ceiling joists are historic or more recent additions. At the time of my visit the ceiling within the dressing area/study was intact and

not partially removed as appears to have been the case when the Council carried out an inspection during the course of the application.

12. The Council does not object to the use of a jib door per se, which as the appellants statement notes have historically been used to hide entrances to service quarters and which would limit the harm to aesthetic significance in the principal bedroom. However, there would nevertheless be some aesthetic harm within the smaller room resulting from the construction of stairs and the partial increase in ceiling height. I also note that SAVA raises no objections to the insertion of a jib door, though it is not clear whether the particular details of the proposal was before them when they made their recommendation.
13. As stated, I acknowledge that the Listed Building is used as one dwelling and that primary accommodation is located in the former 'service wing' as well as in the 'principal dwelling'. Be that as it may, for the reasons stated, the physical form of the two elements of the building reflect their historic functional separation and notwithstanding the nature of more recent occupation as a single dwelling, positively contribute to the significance of the Listed Building. Though it is clear that the plan form has evolved over time and indeed that the smaller room affected by the proposal appears to be a later addition, this does not justify further change should harm to the building and its special interest result, as is clearly the case here. I acknowledge that some changes to the Listed Building and to the smaller room affected by the proposal have recently been permitted by the Council, however from the evidence it appears to me that the permitted changes to the smaller room are less extensive than those subject to this appeal. Finally, the fact that the proposed changes are wholly internal and would not affect the exterior of the Listed Building does not diminish the harm to the significance of the building that would be caused by the proposal.
14. 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 would not be preserved.

Other Matters

15. The appellants state that they are committed to the preservation of the Listed Building and are investing in its long term repair and upgrade. They consider that works to secure its future and sustain significance represent a public benefit. I note from the evidence that a number of other applications have been made by the appellants for works to the building, some of which have been approved and implemented. However, these are separate to the proposal before me and none of the other works of repair or upgrading appear to be reliant on the insertion of the jib door.
16. The proposal would arguably provide some benefits to the living conditions of current and future occupiers of the building resulting from the linkage of the two rooms. However, it has not been demonstrated that the appeal scheme would be necessary to secure a continued use of the building 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; or that it would result in any public benefits.

17. The wholly internal nature of the proposed works mean that they would not have an appreciable visual effect in external views of the property and its surroundings and would thus preserve the character and appearance of the Conservation Area within which Cedar Lodge is situated. Nevertheless, the absence of harm that would be caused in these terms is not a positive benefit of the proposal, and thus has only a neutral effect on the overall balance.
18. The appellants raise the issue as to whether the application ought to have been determined by the Council's Planning Committee rather than by Officers. However, this is a procedural matter which has no bearing on the merits of the proposal before me.

Planning Balance and Conclusion

19. 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 has been reached, then the magnitude of that harm should be assessed. In this case, I conclude that the proposal would cause less than substantial harm to the significance of the Grade II Listed Cedar Lodge. 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.
20. For the reasons given above, the proposed works would not result in the optimum viable use of the building and there would be no public benefits. 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 ESD15 of The Cherwell Local Plan 2011 – 2031 Part 1 adopted 20 July 2015 and saved Policy C18 of the Cherwell Local Plan November 1996. These policies seek, amongst other things, to ensure that special regard is had to the desirability of preserving listed buildings and to conserve designated heritage assets. In reaching my decision I have also carefully considered the Historic England Advice Notes referred to by the appellants and the relevant sections of the national planning practice guidance.
21. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR