



Appeal Decisions

Site visit made on 13 July 2020

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal A - Ref: APP/J3720/Y/19/3235111

The Old Forge, Main Road, Upper Brailes OX15 5AT

- 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 Stephen Hunt against the decision of Stratford on Avon District Council.
 - The application Ref 19/01227/LBC, dated 23 April 2019, was refused by notice dated 27 June 2019.
 - The works proposed are described as the *conversion of cottage to 2 no dwellings with rear extensions and minor internal alterations*.
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Appeal B - Ref: APP/J3720/W/19/3235110

The Old Forge, Main Road, Upper Brailes OX15 5AT

- 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 Stephen Hunt against the decision of Stratford on Avon District Council.
 - The application Ref 19/01226/FUL, dated 23 April 2020, was refused by notice dated 27 June 2019.
 - The development proposed is described as the *conversion of cottage to 2 no dwellings with rear extensions and minor internal alterations*.
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Appeal C - Ref: APP/J3720/Y/20/3244936

The Old Forge, Main Road, Upper Brailes OX15 5AT

- 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 Stephen Hunt against the decision of Stratford on Avon District Council.
 - The application Ref 19/02310/LBC, dated 13 August 2019, was refused by notice dated 28 October 2019.
 - The works proposed are described as the *conversion of cottage to two dwellings*.
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Appeal D - Ref: APP/J3720/W/20/3244932

The Old Forge, Main Road, Upper Brailes OX15 5AT

- 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 Stephen Hunt against the decision of Stratford on Avon District Council.
- The application Ref 19/02309/FUL, dated 13 August 2019, was refused by notice dated 28 October 2019.
- The development proposed is described as the *conversion of cottage to two dwellings*.

Decisions

1. Appeals A and B are dismissed.
2. Appeals C and D are dismissed.

Preliminary Matters

3. As the proposals relate to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. There are two separate sets of proposed works / development; firstly, those relating to Appeals A and B, and secondly, those of Appeals C and D. I have opted to deal with them in the same decision letter as they concern the same property and involve very similar proposals. The principal differences between the two schemes are that Appeals A and B involve proposed rear extensions whereas Appeals C and D do not, and the proposed car parking arrangements for the two sets of appeal schemes differ a little.

Main Issues

5. The main issues are the effects that the proposed works and development would have on The Old Forge as a Grade II listed building as a result of its subdivision, in respect to all four Appeals, and as a result of the proposed extensions, in respect to Appeals A and B only.

Reasons

6. The appeal site comprises The Old Forge, Main Road, a single dwelling. It is a listed building at Grade II, dating from the late 17th Century (the listed building). It largely has a traditional linear footprint, typical of the historic development within the village, that runs roughly parallel to the street. The listed building appears to have been built in two parts, with regular coursed ironstone to the right and limestone to the left, as viewed from the street, beneath a steeply pitched thatched roof. The thatched roof has a slightly different ridge line and profile above those two parts of the building. The site also stands within the Cotswolds Area of Outstanding Natural Beauty (CAONB).
7. There appears to have been limited change to the interior of the building and the room patterns remain in place. The listing states, *Ground floor room to left said to have been used for shoeing horses c.1900*. While the evidence indicates that the building was constructed in at least two parts and that the accommodation within it has been split into three uses, the forge, residential and a Post Office, there is nothing of substance to suggest that the listed building has functioned other than as a single property in the past.
8. Therefore, the listed building's significance and special interest lies primarily in it being a fine example of a traditional building that is characteristic of development within Upper Brailes and in the role that the property has played in the life of the village.
9. The proposals associated with all four appeals would result in the subdivision of the listed building, including the closing of openings that currently join the two parts of the building at ground and first floor levels. These proposed internal

works could be done sensitively and are matters that might potentially be controlled by conditions.

10. Nonetheless, the listed building's integrity and legibility as a historically important component of village life would be diminished as a consequence of its conversion into two separate, independent dwellings, including the effect of those subdividing works on the plan-form. This would be reinforced and diminished further by other manifestations of the subdivision, including the creation of a prominent new driveway and parking area to serve one of the proposed dwellings and the introduction of boundary treatment. As a consequence, the significance and special interest of the listed building would be harmed.
11. The resulting harm to the listed building's significance would be less than substantial in the terms of para 196 of the National Planning Policy Framework (the Framework). Given the statutory duties outlined above, the identified harm to the listed building carries substantial weight against both sets of appeal proposals, in all four Appeals, such that they outweigh the relatively modest public benefits. In coming to this conclusion I have been mindful that, regardless of whether or not the Council can demonstrate a Framework compliant supply of housing land, the schemes would result in the addition of only one new dwelling, and that there is no clear evidence that any other potential benefits could not be achieved by other, less harmful means.
12. The pair of two storey rear extensions that form part of the Appeals A and B proposals, would also significantly interfere with the legibility of the listed building, including by undermining its linear form and by obscuring a substantial proportion of its rear elevation. Consequently, the significance and special interest of the listed building would be further harmed. In doing so, the proposed extensions would also fail to conserve and enhance the special landscape qualities and scenic beauty of the CAONB. While not determinative given my conclusion at para 11, these matters add further weight against the proposals that are the subject of Appeals A and B.
13. Notwithstanding any landscaping that might be undertaken, the other external works proposed under all for Appeals, referred to in paragraph 9 above, would also detrimentally affect the setting of the listed building, which in turn, would cause harm to its significance. Again, while not determinative, this also weighs additionally against all four Appeals.
14. Therefore, the proposals would not preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act and para 193 of the Framework. Both sets of proposals, under all four Appeals, would conflict with Policy CS.8 (Historic Environment) of the Stratford-on-Avon District Core Strategy 2011-2031, while those considered under Appeal B would also conflict with Policies CS.9 (Design and Distinctiveness) and CS.11 (CAONB) of this Core Strategy.

Conclusions

15. For the above reasons, I conclude that all four appeals should be dismissed.

G D Jones

INSPECTOR