



Appeal Decision

Site visit made on 19 October 2020

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2020

Appeal Ref: APP/U1105/Y/20/3254977

Former Lloyds Bank, 6 Silver Street, Ottery St. Mary, Devon, EX11 1DD.

- 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 Andy White against the decision of East Devon District Council.
 - The application Ref.19/2336/LBC, dated 22/10/19, was refused by notice dated 5/3/20.
 - The works proposed are the partial demolition of party wall to create access to neighbouring listed building, The London Inn, to facilitate proposed change of use to A4 (drinking establishment) under planning application ref. 19/1605/FUL.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The London Inn is a grade II listed¹ late 18th century/early 19th century building within the Ottery St. Mary Conservation Area (OSCA).
3. In June 2020, planning permission was granted for the partial change of use of the ground floor of the adjoining former Lloyds Bank (an unlisted building) into a Class A4 drinking establishment (ref. 19/1605/FUL).

Main Issue

4. The main issue is whether the proposal would preserve the London Inn or any features of special architectural or historic interest which it possesses and preserve or enhance the character or appearance of the OSCA.

Reasons

5. The heritage interest of the London Inn is derived from its special architectural and historic qualities. These include its floor plan, layout and much of the building's fabric. Over time, there have been some changes to the layout of the building. Nevertheless, as I noted during my visit, the section of wall that is the subject of this appeal is an integral part of the layout of the public bar area. It assists in forming an attractive and somewhat intimate space within this public house and, in all likelihood, helps to create a pleasing atmosphere for patrons. This wall adds to the charm and character of this Georgian building and is important to an appreciation of its floor plan and layout.
6. The OSCA covers a sizeable part of the town and is centred on the historic core. Its significance is derived from the special architectural and historic qualities, which include the contribution made by the numerous listed buildings.

¹ Listed as Nos. 2 & 3 (prior to that listed as London Hotel) Gold Street.

7. The proposed works would entail creating an opening, measuring approximately 2 metres (wide) x 1.9 metres (high), in the wall that is the subject of this appeal. This would provide a link/direct access from the public bar to the recently approved drinking area alongside and would allow this area to be supervised from the existing bar.
8. However, the proposal would create a sizeable opening within the wall. It would weaken the continuity of this feature and compromise its integrity. This in turn would detract from the layout of the existing bar area and the way this room functions. If the works were approved, the bar area would have three doorways, one of which would be the wide new opening. In future, more noise and activity could reasonably be expected within the existing bar area, which would become something of a thoroughfare with patrons moving to and from the new drinking space. This would diminish the intimacy of the bar area and erode its character and charm. The proposal would disrupt the plan form and detract from the special architectural interest of this important building.
9. The appellant has informed me that the section of wall to be removed was covered with a 'faux' brick and timber Tudor façade in the 1980s. Be that as it may, there is likely to be some original fabric behind this covering. In all probability, the proposed works would entail the loss of some important historic fabric. This would detract from the special historic interest of the building.
10. If the proposal was assessed in the context of the National Planning Policy Framework² (the Framework), it would amount to less than substantial harm to the significance of this listed building. If there is a sliding scale of harm within this category the works would be towards the lower end. Nevertheless, this does not amount to a less than substantial planning objection. When the impact on the OSCA is considered as a whole, the proposal would not have any significant effect. It would preserve the character and appearance of this area.
11. On behalf of the appellant, it has been argued that the proposal would help to secure the optimum viable use. However, there is nothing before me to demonstrate that without these works there is any risk of the building ceasing to be used as a public house. It is also by no means certain that an alternative facility for supervising the approved drinking space could not be provided without harming the special qualities of the listed building.
12. The harm that I have identified to the special architectural and historic interest of the London Inn weighs heavily against granting consent. This harm would not be outweighed by the claimed public benefits or other benefits advanced in support of the appeal and the proposal is at odds with the objectives of policy EN9 of the East Devon Local Plan 2013-2013.
13. I conclude that the proposal would fail to preserve the features of special architectural or historic interest which the London Inn possesses. The appeal should not therefore succeed.

Neil Pope

Inspector

² The Framework refers to planning policies and applications for planning permission. The provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 are not engaged when determining applications and appeals for listed building consent.