



Appeal Decision

Site visit made on 16 November 2020

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th November 2020

Appeal Ref: APP/N2739/Y/20/3255185

Bank House, 78 Church End, Cawood, Selby YO8 3SN

- 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 Wilcox against the decision of Selby District Council.
 - The application Ref 2019/1336/LBC, dated 19 December 2019, was refused by notice dated 12 June 2020.
 - The works proposed are internal and external works to roof including the installation of heritage style rooflights to rear, repairs of roof and reinstating of gable end window (Listed Building Consent).
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Decision

1. The appeal is dismissed.

Preliminary matter

2. As the appeal relates to a listed building consent, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issue is the effect of the proposed works on the special architectural and historic interest of Bank House, 78 Church End, a grade II listed building.

Reasons

4. The appeal property is an early to mid-eighteenth century house with late eighteenth and early nineteenth century additions. It is constructed from local, narrow reddish-orange bricks, with a plain tile roof to front, and a plain and pantile roof to rear. It has a particularly ornate front elevation with six ground floor windows with brick pediments. Flat tiles cover the front of the roof and part of the back. Red pantiles cover the remaining roofs to the rear. The plain tiles are secured onto sawn battening with oak pegs and lime mortar torching. The tiles have been re-laid at some point. The roof space is currently used for storage and the structure is visible and, although some parts are not original, it demonstrates its evolution since the possibly original thatched roof. There is in part a lime ash floor in the roof. The timber in the roof ranges in age with the earliest examples being hand hewn by axe or adze and the more modern elements being machine cut.

5. The property is now in residential use having been previously part of a working farm. The former use of the roof area is in dispute with the Council believing it to be used as a grain store based on the 1982 survey of the building undertaken by the North Yorkshire and Cumbria Vernacular Buildings Group. The appellant believes it to be former female servants accommodation based on the presence of a lath and plaster partition, evidence of lime plaster on rafters/purlins and former windows in both gable ends.
6. The significance of the listed building, in so far as it relates to these appeals is derived from its architectural and historic interest associated with the retention of original building materials and evidence of methods which help understand the construction of the roof. While the previous use of the roof space is unresolved, the building has clearly evolved in terms of its use and associated functionality which adds to its historic significance.
7. At the same time as undertaking essential repair work to the roof structure, the appellant wishes to carry out works which would allow the roof space to be used as modern living accommodation. The Council has not raised concerns regarding the general repair and strengthening of roof timbers as well as cleaning and sealing the guttering and rebedding and repointing brick work. Having viewed the evidence, I see no reason to disagree. I have therefore concentrated on the areas of work where there is disagreement.

Reroof

8. The Council objects to the replacement of the plain tiles on the rear elevation with pantiles. I note that the list description refers to a mix of plain tiles and pantiles on the rear elevation. However, both parties agree that this could be the subject of a condition were the appeal to be allowed.
9. More fundamentally, the appellant proposes refixing the roof coverings with copper nails instead of the oak pegs currently used. I note the appellants assertion that as the roof is being underdrawn with a breather membrane the method of attachment will be hidden in the structure. Furthermore, best practice from English Heritage within its publication Practical Building Conservation - Roofing is that most tiling is hung with large-headed tile nail if not visible from the underside.
10. Essentially, the existing method of fixing the tiles to the roof together with lime mortar torching would be replaced with modern nails, membrane and non-breathable insulation. There would therefore be a significant loss of understanding of traditional construction techniques.

Insulation

11. Breathable insulation would be used on both brick gable ends (internal insulation with wood fibre boards and lime plaster). The appellant considers that as the roof structure is underdrawn (with breather membrane) the structure itself does not need to be breathable as there will be no moisture in it and a condensation risk analysis is provided in support of this. Therefore, non-breathable insulation would be provided between the rafters and would be boarded and skimmed. The appellant refers to Society for Protection of Ancient Buildings advice regarding rafter insulation which states that non-breathable forms of insulation should not be discounted where adequate ventilation and

detailing can be achieved The Council maintain that breathable insulation should be provided throughout the roof.

12. I have reservations regarding the evidence before me regarding the ability of the roof to maintain its traditional breathing performance, particularly given that the area would be converted to modern living accommodation. I appreciate that there would be no high moisture areas within the roof area and that trickle vents would be installed as well as a number of new windows. However, it is likely the windows would be double glazed, and the use of trickle vents is unlikely to be appropriate design solution in historic buildings.
13. In addition, the appellant's condensation survey is based on technical data based calculations with limited analysis presented. I cannot be certain that this approach is appropriate for historic buildings which are of a breathable construction. In particular the survey does not explain in heritage terms the impact of the insulation, nor is there any analysis of any implications on the dwelling as a whole. Moreover, the survey refers to a slate roof covering which is not the case here.
14. Therefore, while some of the works would not be seen, they would as a whole result in the significant loss of traditional construction techniques together with the introduction of modern materials and features. In addition, it has not been adequately demonstrated that the combination of materials would not cause long term harm to the roof structure. Taken together, and adopting a precautionary approach, this would harm the significance of the listed building.

Rooflights

15. There would be seven new roof lights to the rear of the property, six on the main roof slope. The appellant has confirmed that these would be mounted to the outside of the existing rafters, so the existing structure would not be affected. However, there would still be a large number of rooflights within an otherwise uninterrupted expanse of the roof which would cause harm to the significance of the building. Although the rooflights would be on the rear roof slope and therefore have limited public visibility, this is not determinative as to whether the alteration would preserve the special architectural or historic interest of the building.

Enlargement of access and new floor

16. The existing entrance to the roof space is blocked by the lower purlin and its supporting post together with a rafter above. It is proposed to remove these and install new oak posts to the purlin together with supporting steel work. The loss of these features, even though the lower purlin appears to be a later addition, would erode the legibility of the roof structure. This would be exacerbated by the proposal to install a new steel floating floor. Although this would preserve the remaining lime ash floor, it would, according to the appellants structural engineer (SE) require bedding the new steels onto the top of the wall, which will require some intrusive works and careful detailing at the eaves for waterproofing and finishes and potentially spreaders over windows.
17. The appellant outlines other ways of achieving the modern day use of the roof space, while ensuring modern imposed loading requirements. That favoured by the Council, is to directly strengthen the beams which would involve steel flitch plates to be inserted into them. The SE considers this option to be excessive

and inappropriate due to it being a costly and very intrusive method which would require the propping of the beams at the levels below, as well significant bolting and precise workmanship.

18. It seems to me though that while some fabric would need to be removed to be able to support the existing structure while the strengthening work is carried out, I have seen no substantive evidence to suggest this could not then be replaced. However, this may not necessarily be the case with the works to the original fabric associated with the installation of the new floor, where concrete pads would need to be installed, disturbing original bricks in the wall where the new steel beams would be inserted. I therefore am of the view that these works would harm the significance of the building.

Reopening of window

19. The proposal would see the opening up of the blocked window in the western gable elevation of the building. This would be a positive aspect of the proposal, that would be beneficial to the significance of the building. However, given the minimal detail submitted with the appeal, if the proposal were otherwise acceptable a condition would be necessary to achieve a satisfactory design and construction details.

Conclusion on roof alterations

20. Irrespective of whether or not the roof space was previously used for living accommodation, I have found that each aspect of the alterations, except for the opening up of the window on the west elevation, would cause harm to the significance of the listed building, either through the loss of historic fabric or methods of construction.
21. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given that the works are related solely to the roof structure, I find the harm to be less than substantial in this instance and I note that the appellant concurs with this view. Although the level of harm is less than substantial, it is nevertheless of considerable importance and weight.
22. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because they would help secure the structural safety of the building, having a positive impact on the heritage asset ensuring its continued use for the foreseeable future. However, I have seen no substantive evidence to suggest that the works purely to facilitate the use of the roof as modern living accommodation are required to secure the structural safety of the building. The reopening of the window in the west elevation is a heritage benefit however this is not sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the

appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.

23. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, paragraph 192 of the Framework and Policy ENV24 of the Selby District Plan, Policy SP18 and SP19 of the Core Strategy insofar as relevant. These state, amongst other things, that alteration of a listed building would only be permitted where it is demonstrated that it would not have an adverse effect on the archaeological and historic character of the building. Furthermore, historic assets should be conserved.

Conclusion

24. Therefore, for the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR