



Appeal Decisions

Hearing held 24 November 2020

Site visit made on 25 November 2020

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2020

Appeal A Ref: APP/J3720/W/20/3252701

8 Mill Cottage, Henley Road, Great Alne B49 6HX

- 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 Mrs Sarah Robson against the decision of Stratford-on-Avon District Council.
 - The application Ref 19/03615/FUL, dated 31 December 2019, was refused by notice dated 28 February 2020.
 - The development proposed is a single storey side garden room extension.
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Appeal B Ref: APP/J3720/Y/20/3252702

8 Mill Cottage, Henley Road, Great Alne B49 6HX

- 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 Sarah Robson against the decision of Stratford-on-Avon District Council
 - The application Ref 19/03616/LBC, dated 31 December 2019, was refused by a notice dated 28 February 2020.
 - The works proposed are described as a single storey side garden room extension and conservation roof light to rear.
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Decision - Appeal A

1. The appeal is dismissed.

Decision - Appeal B

2. The appeal is dismissed.

Applications for costs

3. Applications for costs were made at the hearing by Stratford-on-Avon District Council against Mrs Sarah Robson. These applications are subject to separate Decisions.

Procedural Matters

4. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning.
 5. The plans show the removal of a fireplace and part of a chimney breast. However, the appellant's statement says the entire chimney breast and fireplace would be retained for use with an entrance opening created on one side of it to allow access to the proposed garden room. This was confirmed at
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the hearing. I have therefore determined the appeals based on the chimney breast and fireplace being retained and a single entrance to the proposed garden room. As I am dismissing the appeals for other reasons, I am satisfied that no party has been prejudiced by this approach.

Main Issue

6. The main issue in both appeals is whether the proposed development/works would preserve the grade II listed Mill Cottage, 7 and 8 Henley Road or its setting and any of the features of special architectural or historic interest that it possesses, preserve the setting of the grade II listed Malt House and whether the scheme would preserve or enhance the character or appearance of the Great Alne Conservation Area.

Reasons

Significance

7. The appeal property is one of a pair of semi-detached 17th/18th cottages with 19th century rear additions known as the grade II listed Mill Cottage (Mill Cottage). Behind Mill Cottage is the grade II listed Malt House (the Malt House) a detached 17th/18th century cottage. Although now in separate ownership, Mill Cottage and the Malt House were originally part of the same plot. They are both within the Great Alne Conservation Area (CA).
8. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. The same act also requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Furthermore, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
9. Mill Cottage is finished in red brick with a clay tiled roof. Its main front elevation faces Henley Road and it has an orchard style cottage side garden. Its front elevation has consistently proportioned and positioned traditional features including solid plank doors next to single windows and brick dormers with brick end stacks. Consistent with the Inspector's findings in June 2020¹, in my view, it's significance derives from its modest scale, its positioning in relation to Henley Road, its relationship with the Malt House and its simple and cohesive traditional architectural detailing.
10. The Malt House is tucked closely behind Mill Cottage only partly visible from Henley Road over the garden area and hardstanding/access drive either side of Mill Cottage. It is constructed from traditional red brick with a clay tiled roof with a ridge stack. It has a plank door and oak mullioned windows with its significance founded on its traditional architectural detailing and its historical relationship with Mill Cottage.
11. The CA covers the majority of the old part of the built-up area of the village mainly comprising traditional dwellings finished in a variety of materials with attractive architectural detailing. The properties are spaciouly arranged

¹ Appeal Decision APP/J3720/Y/19/3243012

interspersed with mature landscaping. Therefore, insofar as is relevant to both appeals, I find the architectural detailing and the spacious verdant layout of the buildings within it are its main features of significance.

Effects on Mill Cottage

12. The proposed roof light would be conservation type, discreetly positioned and involve the removal of only a small section of roof tiles. With the fireplace and chimney breast retained, only small sections of brickwork and a small timber framed side window would be removed leaving the majority of the original side wall, chimney breast and fireplace intact. These aspects of the proposals would not harm the historic fabric of Mill Cottage or any features of architectural or historic interest it possesses.
13. However, the proposed garden room would be positioned almost in line with the main façade. It would elongate the ground floor of the main front elevation of Mill Cottage on one side extending into the cottage garden area. Whilst the materials would match those used on the existing property, the proposed roof pitch would be much shallower. Furthermore, the proposed thick oak framing would be extensive and the proposed glazed openings much larger than the existing modest traditional windows and doors. Moreover, the proposed garden room would take up a significant part of the cottage garden and without a tree survey undertaken by a competent person to demonstrate otherwise, I am not satisfied that it would not require the removal of two fruit trees which would otherwise assist to screen and soften the proposal.
14. Therefore, even acknowledging the boundary vegetation and the change in levels, the loss of part of the garden would be noticeable and the proposed garden room would be prominent in the Henley Road street scene. Through its scale, conflicting form and positioning the proposed garden room would unbalance and diminish the modesty and cohesiveness of the main front elevation of Mill Cottage. Furthermore, the noticeable loss of part of the orchard style cottage side garden would also harm its setting.
15. Whilst I acknowledge the listing description for Mill Cottage does not explicitly reference symmetry or cohesiveness, I have found the simple and cohesive traditional architectural detailing to be features of its significance. Furthermore, even though the side garden and the access drive either side of Mill Cottage are clearly diverse, this does not detract from the cohesiveness of the main front elevation. All that said, I find the proposed garden room would fail to preserve the historic architectural detailing of Mill cottage or its setting, harming its significance.

Effects on Malt House

16. The proposed garden room would be some distance away from the Malt House. Even with the proposals in place the Malt House and Mill Cottage would still be viewed together and the Malt House would still be visible from Henley Road. Furthermore, the space which the proposal would extend into appears noticeably separate to the Malt House. Thus, I find no harm to the setting or significance of the Malt House.

Effects on the Conservation Area

17. Significant space to the side of Mill Cottage would be retained with the garden room in place such that I find the proposals would not harm the spacious

quality of the CA. Nevertheless, the harm I have identified to the historic architectural detailing of a traditional building within the CA would be prominent on a main route through the CA. In this regard the proposed garden room would also therefore fail to preserve or enhance the character or appearance and harm the significance of the CA as a whole.

Planning and Heritage Balance

18. The combined harm I have identified to the significance of the designated heritage assets would be less than substantial. In which case paragraph 196 of the Framework requires it to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
19. The proposals would improve the living conditions for the occupiers in terms of additional internal living space and improved access to natural light. Consequently, they would result in a property that would meet the appellant's need for more space to accommodate a growing family also meaning they could stay in the property and the community without needing to move. I also recognise the appellant's strong local connection and desire to remain an integral part of the community and note without the proposals this may not be feasible.
20. The proposals would also result in a property which matches more closely the type of dwellings needed in the area. I also note planning conditions have been used on developments nearby to ensure a proportion of new dwellings are made available to people with a local connection in recognition of the difficulties faced by local people accessing suitable properties.
21. However, there is no substantive evidence before me to suggest the current accommodation results in harmful living conditions or would result in such if occupied by a larger household. Thus, the appeal property without the proposals successfully functions as a dwelling and the proposals are not therefore necessary to achieve the property's optimum viable use. Furthermore, even if I were to accept these matters as public benefits, when combined they would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage assets.
22. In reaching these conclusions I have considered the numerous examples of extensions to listed buildings nearby both observed on the site visit and referenced in the appellant's statement including the appeal decision relating to the Old Post Office². However, the harm I have identified relates directly to the impact of the proposal on the architectural detailing and setting of Mill Cottage, particularly its main façade facing Henley Road. None of the examples display the same architectural circumstances or context. They are not therefore directly comparable, consequently I afford them limited weight.
23. Overall, I am therefore led to the conclusion that the proposed development/works would fail to preserve Mill Cottage its features of special architectural or historic interest or its setting and would not preserve or enhance the character or appearance of the CA contrary to the respective sections of the Act and the Framework. For the same reasons both appeal proposals would also conflict with Policy CS.8 of the Stratford-on-Avon Core Strategy 2011-2031 which seeks to protect the historic environment for its

² Appeal Decisions APP/J3720/W/19/3223132 & App/J3720/W/19/3223145

inherent value and for the enjoyment of present and future residents and visitors.

Conclusion

24. For the reasons given above and taking into account all other matters raised, I conclude that both appeals should be dismissed.

L Fleming

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Sarah Robson	Appellant
Simon Onions	Appellant

FOR THE COUNCIL

Charlotte Dicks	Stratford-on-Avon District Council
Heather Kenny	Stratford-on-Avon District Council
Victoria Kempton	Stratford-on-Avon District Council
Lucy De Domenico	Stratford-on-Avon District Council
Sophie Jarrett	Stratford-on-Avon District Council