
Appeal Decisions

Site visit made on 14 December 2020

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2020

Appeal A Ref: APP/P0119/W/20/3259192

The Owl House, Catchpot Lane, Old Sodbury, Gloucestershire, BS37 6SN.

- 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 and Mrs R Williams against the decision of South Gloucestershire Council (the LPA).
 - The application Ref. P20/02791/F, dated 12/2/20, was refused by notice dated 2/7/20.
 - The development proposed is the erection of an extension to first floor to facilitate improved first floor layout, insertion of 3 no. conservation roof lights, insertion of flue to rear elevation.
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Appeal B Ref: APP/P0119/Y/20/3259201

The Owl House, Catchpot Lane, Old Sodbury, Gloucestershire, BS37 6SN.

- 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 and Mrs R Williams against the decision of South Gloucestershire Council (the LPA).
 - The application Ref. P20/02792/LB, dated 12/2/20, was refused by notice dated 2/7/20.
 - The works proposed are the erection of an extension to first floor to facilitate improved first floor layout, insertion of 3 no. conservation roof lights, insertion of flue to rear elevation.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. A more accurate and concise description of the proposals is: a first floor extension, alterations to existing flue, installation of a new flue, insertion of 1 rooflight and internal alterations.
3. The LPA has not identified any concerns regarding the proposed internal works, rooflight, new flue or the alteration to the existing flue. I see no reason to disagree and have framed the main issue accordingly.
4. The appeal site lies within the Bristol/Bath Green Belt (GB). I agree with the LPA that, in GB terms, the proposal would not result in a disproportionate addition over and above the size of the original building. It would not amount to inappropriate development within the GB or harm the openness of the GB.

Main Issue (Both Appeals)

5. The main issue is whether the proposed first floor extension would preserve the features of special architectural or historic interest of the grade II listed building known as Owl House¹.

¹ Listed as 'Barn about 38 metres west of Home Farmhouse'.

Reasons

Planning Policy

6. The development plan includes the South Gloucestershire Local Plan: Core Strategy (CS) adopted in 2013 and the South Gloucestershire Local Plan: Policies, Sites and Places (LP) adopted in 2017. The most important policies to the determination of appeal A² are CS policy CS9.1 (heritage assets) and LP policy PSP17 (heritage assets).

The Main Issue - Impact upon the Listed Building (Both Appeals)

7. The appeal site is an early 19th century former barn now converted into residential use. Its significance (heritage interest) is derived from its special architectural and historic qualities. The former include its very modest size, simple form, rubble stone walls with stone dressings and quoins, clay pantile roof with raised coped verges, former cart entry(now glazed) with segmental head and plank shutters, former loading door at upper level in north elevation (now a window) with owlhole above and ventilation slits. Its special historic interest includes its surviving original fabric and its previous use for agricultural purposes in association with the neighbouring Home Farm. The existing single storey extension was added when the building was converted in the 1990s and was enlarged in 2008. It does not contribute to the significance of the building.
8. The appellants' agent has calculated that the proposed extension would raise the eaves height of the existing single storey addition by about 1 metre and the ridge height by about 1.8m. The existing roof tiles would be re-used and the walls would be finished using matching natural stonework. This new extension would be set down below the roof ridge on the former barn and would provide more spacious and convenient living accommodation.
9. However, the proposal would considerably increase the height and mass of the existing extension. This sizeable new addition would result in a much bulkier and imposing extension to the northern gable of this former barn. I agree with the LPA's conservation officer that it would erode the clear definition of the original simple form and character of this former agricultural building and diminish the well-defined hierarchy and relationship between the original main building and the existing single storey extension. The proposal would appear as an overly-large addition that would detract from an appreciation and understanding of this standalone building which currently retains much of its original agrarian character. Whilst the proposed internal doorway could reinstate the proportions of the former loading door, the existing opening would no longer be 'read' from the outside. Such works would further detract from an appreciation of the heritage interest of this important building.
10. In the context of the National Planning Policy Framework, the proposed development would result in less than substantial harm to the significance of this designated heritage asset. If there is a sliding scale of harm within this category the proposal would be towards the lower end. However, this does not amount to a less than substantial planning objection. Great weight should be given to an asset's conservation.
11. I note the examples of some other agricultural buildings within the surrounding area that appear to have been extended in the past. Each case must be

² The provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 do not apply in appeal B.

determined on its own merits and it is unclear if these other buildings are listed. Even if they are, this would not overcome or outweigh the harm to the significance of the appeal building that I have identified above. Moreover, there are no public benefits sufficient to outweigh this harm.

12. I conclude on the main issue that the proposed first floor extension would fail to preserve the features of special architectural or historic interest of the grade II listed building known as Owl House. There would be conflict with the aims and objectives of CS policy CS9.1 and LP policy PSP17.

Other Matter (appeal A only)

13. The appellants' Preliminary Bat Roost Assessment Report found that bats have accessed the roof space of the existing extension and there is highly suitable foraging and commuting habitat in the vicinity of the building. This building was assessed as providing a "*moderate suitability*" for roosting bats. As a consequence, dusk emergence/dawn re-entry surveys were recommended to determine the presence or likely absence of roosting bats.
14. There is a reasonable likelihood that bats (a protected species) could be present within the appeal building. National advice³ states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by proposed development, is established before planning permission is granted. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. There are no exceptional circumstances before me. Had I found differently (appeal A) in respect of the main issue above, I would not therefore have been able to grant permission in the absence of necessary bat surveys. This lends further weight to the argument for withholding planning permission.

Overall Conclusions

15. Given all of the above and having regard to all other matters raised, I conclude that these appeals should not succeed.

Neil Pope

Inspector

³ Circular 06/2005 'Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System'.