
Appeal Decision

Site visit made on 24 March 2021

by H Porter BA(Hons) MSc PGDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 26th April 2021.

Appeal Ref: APP/F1610/Y/20/3258815

Icomb Place, Church Road, Icomb GL54 1JL

- 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 Alex and Val Fishlock against the decision of Cotswold District Council.
 - The application Ref 20/01382/LBC, dated 20 April 2020, was refused by notice dated 5 August 2020.
 - The works proposed are replacement of a bay window.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The description of the works proposed in the above banner heading is taken from the Council's decision notice, which reflects revisions to the proposals after submission of the original application.
3. The Council did not find against any statutory development plan policies within their officer report or decision notice; nor were any provided within the appeal submission or following a subsequent request. As I have not been provided with any relevant development plan policies, I have decided the appeal against Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act) and the historic environment policies within the National Planning Policy Framework, revised February 2019 (the Framework). I do not consider that either party would be prejudiced in my following this approach.

Main Issue

4. The main issue is whether the proposed works would preserve the Grade I listed building known as Icomb Place, or any features of special architectural or historic interest it possesses.

Reasons

5. Icomb Place was first added to the statutory list in 1960, listed at Grade I in recognition of its special architectural or historic interest. The statutory list description identifies Icomb Place as a manor house; rebuilt c. 1420, probably by Sir John Blaket on the site of an earlier moated manor house; altered mid-late 17th century; partially demolished early-mid 20th century. Whilst it is just

an aid to identification, the list entry has been recently updated and cites the irregular fenestration to the building's east range, including two 19th century stone-mullioned canted bays to the ground floor. The appeal concerns one of these stone-mullioned canted bays.

6. From all that I have seen and read, including the appellant's Heritage Statement¹, I consider the significance and special interest of Icomb place is, in part, informed by the building's historic fabric, architectural features, historic associations and its wider estate setting. The building's physical narrative, contained within its fabric, features, layout and plan form, reveals successive phases of its adaptation, dereliction and revival over many centuries. Indeed, it is the combination of fabric, styles and features, including fenestration, at Icomb Place that underpins its architectural history and disclose its evolution. This is an aspect of the building's special interest, implicit in its inclusion in the highest category of listed buildings of national significance.
7. The proposal is to replace one stone-mullion canted-bay window located on the ground-floor of the building's east façade (window GW02). Together with another canted-bay on the same elevation, window GW02 is a remnant of various works that are attributed to the architect Frederick William Waller. Waller's adaptations to Icomb Place include the opening-up of rooms within the building's east range, and increasing light to them through the insertion of canted bay windows. Window GW02 is clearly identifiable as a Victorian intervention to the east façade of Icomb Place and relates to internal spaces considered as a fundamentally 19th century creation.
8. Window GW02 resulted in the loss of 15th century walling and 17th century windows and meets awkwardly the carved stone surround of the first floor 'Great Chamber' window. Contemporary evaluation may judge window GW02 to be of a 'somewhat dull and generic 19th century character' and crudely undertaken. Be that as it may, it survives as remnant of Waller's suite of works that modernised Icomb Place and ultimately ensured its survival over a century ago. Whether aesthetically unremarkable or of less significance compared with much earlier surviving windows, window GW02 is a physical manifestation of Waller's work and, in turn, a remnant of an important phase in the built evolution of Icomb Place. Window GW02 is thus a feature of architectural and historic interest in its own right that is of value to the integrity of the building wherein significance is derived from the culmination of adaptations over time.
9. The proposal would undo interference between the extant window's tiled hipped roof and the stone surround of the first floor Great Chamber French window. However, in so doing legibility of where the 17th century and 19th century fabric coalesce on the building's east façade would be lost. Even if it would be a faithful 17th century replica, of the highest quality craftsmanship and materials, ultimately, the replacement window and walling would be modern. The appeasement of appellants' desire to reinstate more of a 17th appearance on the building's east façade would divest the building of a surviving Victorian feature.
10. The appeal and application have been supported through extensive research and an almost forensic understanding of Icomb Place. I therefore do not doubt that the proposed replacement tri-partite mullion would be constructed to the very highest quality and to a design not born of 'architectural conjecture'. Even

¹ Icomb Place Heritage Statement, Giles Quarme Architects April 2020

if window GW02 is of 'medium significance' in the context of the building as a whole, and another canted bay on the east façade would be retained, the proposed works would result in a loss of 19th century historic fabric. Beyond a physical loss, the proposed works would obfuscate the phasing and evolution of Icomb Place, weakening its architectural story of adaptation over centuries that underpins its significance.

11. It follows that I consider the proposed works would cause harm to and thereby fail to preserve the building, or its features of special architectural or historic interest which it possesses. The proposed works would run contrary to the expectations of Section 16(2) or 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
12. The Framework² requires that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weights should be). In light of the nature and scope of the proposed work, I consider that the harm would be less than substantial and towards the lower end of that scale. Paragraph 196 of the Framework sets out that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
13. Even if reinstatement of a more-17th century appearance on the building's east façade would be of some aesthetic advantage, in light of the harm identified, the works would not enhance the significance of that façade or represent public benefit to that effect. There would be economic benefits associated with the manufacture and construction phase, but, considering the scale and likely duration of the works involved, this would carry modest weight as a public benefit. An extensive project of repair and renovation at Icomb Place is already underway and the case has not been made that the proposed works would secure the building's optimum viable use or its long-term conservation.
14. Considering the importance of the asset in this case, very great weight should be given to its conservation. The sum of public benefits the proposed works would realise would not outweigh the very considerable weight that even less than substantial harm carries. Conflict therefore arises with the historic environment and heritage asset within the Framework.

Conclusion

15. I have found that the proposed works would cause harm to the significance and special interest of the Grade I listed building, which would fail to preserve its features of special architectural and historic interest. This runs contrary to the clear expectations of the Act. The overarching statutory duties must be given considerable importance and weight, therefore, even though the harm would be less than substantial, it is not outweighed by public benefits. For the reasons set out above and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

H Porter

INSPECTOR

² National Planning Policy Framework, revised February 2019