



Appeal Decisions

Site Visit made on 11 May 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2021

Appeal A Ref: APP/F1610/W/20/3264806

Hazleton House, Hazleton, Cheltenham, Gloucestershire GL54 4EB

- 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 Mark Goodey against the decision of Cotswold District Council.
 - The application Ref 20/01354/FUL, dated 14 April 2020, was refused by notice dated 17 September 2020.
 - The development proposed is demolition of rear conservatory, greenhouse, car port, sheds and rear porch canopy, erection of single storey side extension and car port, erection of single storey outbuilding to house ground source heating plant room, fenestration alterations, installation of dormer window to facilitate conversion of coach house to form living accommodation, pool and store.
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Appeal B Ref: APP/F1610/Y/20/3264807

Hazleton House, Hazleton, Cheltenham, Gloucestershire GL54 4EB

- 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 Mark Goodey against the decision of Cotswold District Council.
 - The application Ref 20/01355/LBC, dated 14 April 2020, was refused by notice dated 17 September 2020.
 - The works proposed are demolition of rear conservatory, greenhouse, car port, sheds and rear porch canopy, erection of single storey side extension and car port, erection of single storey outbuilding to house ground source heating plant room, fenestration alterations, installation of dormer window to facilitate conversion of coach house to form living accommodation, pool and store, internal alterations and associated landscaping.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same proposal under different legislation. I have dealt with both appeals together in my reasoning.
4. In its statement of case the Council has confirmed that it has withdrawn its second reason for refusal relating to the proposal's impact on protected species.

5. I have taken the address from the Council's decision notice as it is more concise than the address on the application form.
6. The description of development was amended with the agreement of the main partis before the Council issued its refusal. I have used the amended description and determined the appeal accordingly.

Main Issue

7. The main issue for both appeals is the effect on the significance of the listed building, known as Hazleton House.

Reasons

8. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
9. Hazleton House is a substantial gothic revival building with a date stone of 1861. It was built as a rectory, and thus has the appearance of a small country house set in spacious grounds, with a clear hierarchy of built form comprising a main range, service wing, service yard and outbuildings. Despite a substantial fire it retains a good degree of integrity, retaining much of its original design and plan form. It was designed by Medland & Maberley, who were a firm of architects significant on a regional scale with some national work. It is suggested in the submissions that the building is a good example of their domestic work. The significance of the listed building is thus derived from its architectural interest as a result of its design, materials and composition; and its historic interest arising from its original designers.
10. Internal alterations to the existing building at ground floor level would see an opening between two rooms reinstated and the modern detail of a fireplace altered. Neither alteration would be harmful.
11. Whilst the insertion of rooflights and removal of the ceiling to open up the area of the proposed Kitchen to the underside of the roof would not appear to be harmful, removing almost all of the end wall of this room would cause harm, as the appellant accepts. This would be lessened however by the re-use of the stone window in place of a modern glazed door and the retention of stubs of wall to mark the position of the historic wall, but nevertheless would still result in some harm.
12. Beyond this, the new Kitchen would continue into an extension that would replace the existing car port. Although this would have a flat roof, which is not a roof form found elsewhere on the building, it would be in a discreet area of the site, tucked in behind the slightly raised height of the existing wall that serves to separate this service area from the more formal character of the gardens. The roof lanterns would stand above the height of the flat roof but would not be prominent from the gardens to the south as the land falls away in this direction. They would be seen largely within the context of the service yard, within an extension that would be set against the back of this area and enclosed by other buildings to either side. As a result, they would not be obtrusive.

13. The flat roof would overhang the edge of the extension, projecting into the yard. A satisfactory detail for the end of the roof could be secured by a suitably worded condition in the event that the appeal is allowed. Providing this is carefully considered I am not satisfied that the use of a modern single ply membrane need be harmful, especially as views over the roof would be very limited.
14. Alterations in this area would see two new glazed doors set into the garden wall facing southeast. These would be framed in thin profile aluminium with single panels of glazing filling the openings. Whilst these would be somewhat at odds with the narrower form of adjacent windows on the existing building, at my visit I saw that windows to the principal rooms were already without glazing bars and thus comprise large areas of glass without visual relief. Furthermore, these two doors would be set to one side, away from the principal part of the building. I am therefore satisfied that the appearance of these two new doors would not be harmful.
15. At first floor level the existing bedroom and en-suite in the southern corner would be altered to serve as an en-suite and dressing room to the adjacent bedroom. The supporting statements refer to these walls as stud partitions and suggest that they are unlikely to be original. However, at my visit I saw that they were masonry built with joinery to match that found elsewhere. I also saw that the small window in the southwest wall is placed centrally within the end of the room. These are factors that cause me to conclude that this arrangement is likely to be original. Whilst this small room is unlikely to have provided a private bathroom to the bedroom it may have served as a small dressing room. Thus, I am not satisfied that interventions to this part of the building are properly justified, and, based on my assessment on site, would appear to result in the loss of historic fabric and harm to the plan form of the building.
16. Other alterations at first floor level within the main building appear to be sensitively considered and would not result in harm. These include the insertion of an en-suite into what would become bedroom 5, which is a modest room at the end of the service range with a modern cornice. The form of this room would still be easily discerned following the work.
17. Evidence demonstrates that the coach house has been subject to various interventions as a result of its changing function. Historic finishes such as the lathe and plaster ceilings are however retained to various parts of the interior. I accept that these are not particularly rare finishes, however they do have some aesthetic value, and they give the building a degree of historic integrity. The retention of such original finishes increases the significance of the building and the role it plays in illustrating the range of uses and functions at the site, and how the whole household operated, including the hierarchy between different parts of the house and its outbuildings.
18. The proposal would see the main ground floor space converted to house a pool, with the room lined out to reduce heat loss. The proposal would have a visual impact on the interior as a result of covering over the soft appearance of the existing internal finishes. The appellant suggests that these could be retained, however covering over these finishes would result in some harm. There may well be further harm as a result of lining the room out and limiting the ability of the existing vapour permeable materials to function as such, which could

increase decay and result in concentrations of damp. There is nothing in the submissions before me to demonstrate that this matter has been considered.

19. The area that would be used as a living room at first floor level retains a timber partition and door that appears to be original to this building and is referred to in the heritage appraisal as likely original coachman's accommodation. The same document suggests that the door and partition should be retained. Despite this the partition would be replaced with a new partition alongside the retained stairs, thus removing original fabric and harming the significance of the interior of this building. I am mindful that the Council has subsequently approved a scheme for alterations to the first floor of the coach house, however the details of this are not before me so I am unable to make a comparison between the appeal proposal and the scheme that the Council has accepted.
20. I therefore find that the loss of the wall and relocation of the window to form the Kitchen and Dining Area, the alterations to the first floor bedroom in the southern corner and the changes to the coach house would be harmful to the special interest of the listed building.
21. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
22. The proposal would see the existing conservatory and green house removed from the southeast elevation. The simple lean-to form of the green house is not harmful, particularly as it is further away from the main façade of the house and faces out over an area of garden that was distinct from rest of the garden to the southwest. However, I do agree that the removal of the conservatory would be an enhancement as it currently harms the appearance of this part of the building as a result of its position and form.
23. The existing car port structure causes some harm, particularly where its roof extends over the top of the garden wall. Its removal would therefore also constitute an enhancement.
24. Some effort has been made to try to design the small porch canopy on the south east elevation in a sensitive manner that respects the character of the host building. However, its scale and its rather awkward position against the return of the main range mean that it causes a modest level of harm and thus its removal would improve the appearance of this elevation.
25. The tall soil stack alongside the front door is a harmful addition to the principal elevation. Its removal would be beneficial, although the weight I give this is considerably lessened by the lack of detail before me to demonstrate that alternative routes for such pipework would be less harmful, particularly when I take into account the number of new bathrooms and en-suites that are proposed.
26. The appellant suggests that repairing and bringing the coach house back into use would ensure its longevity. At my visit I saw that the ground floor of the building already provides a useful storage function to the house, commensurate with the size of the house and grounds. I am not satisfied that repair works necessary are beyond the usual maintenance requirements of such a building. Thus, I find that the repairs necessary are not so significant that a proposal

- that secures such could amount to a heritage related public benefit. Similarly, as the building is already put to a useful storage use I am not satisfied that changing its use would be a benefit.
27. Although a benefit to the occupiers of the building, I am not satisfied that altering it so that it suits modern living standards could be considered a public benefit.
28. I have found that there would be a number of heritage related public benefits which weigh in favour of the proposal. The appeal site is located within Hazleton Conservation Area (HCA). Of the public benefits identified, only the removal of the conservatory would have the potential to be a benefit to the character and appearance of the HCA. However, mature trees within the site, the low position of the structure, and the distance between this area of the site and the closest public vantage point would mean that the removal of the conservatory would not be sufficient to constitute a public benefit to the character and appearance of the HCA.
29. The proposal would facilitate a ground source heating system at the site, which would be an environmental benefit that would attract considerable weight. There would be some public benefits arising from the construction phase of the proposal, although given the modest scale of the works proposed I find that these would carry limited weight.
30. However, as set out above I have identified elements of the proposal that would cause harm to the listed building. Collectively I consider the level of harm arising from these interventions to be significant. Paragraph 193 of the Framework establishes that great weight should be given to the conservation of a heritage asset. In this context I find that the public benefits of the proposal would not be sufficient to outweigh the degree of harm identified.
31. In summary, the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the special interest of the listed building. It would also be contrary to Policies EN1, EN2, EN10 and EN11 of the Cotswold District Local Plan 2011-2031, which together seek to ensure that development proposals are designed to a high standard and will promote the protection, conservation and enhancement of the historic environment.

Other Matters

32. The appeal building is within the HCA. Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The building stands within extensive grounds. I am satisfied that the effect of the proposal does not extend beyond the environs of the building to the extent that it would cause harm to the character and appearance of the HCA. The absence of harm in respect of the HCA is a neutral matter that cannot weigh in favour of the proposal.

Conclusion

33. For the reasons above, both of the appeals should be dismissed.

A Tucker

INSPECTOR