



Appeal Decision

Site Visit made on 9 June 2021

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16/08/2021

Appeal Ref: APP/J1915/Y/20/3262262

1 Priory Street, Ware, SG12 0DA

- 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 A McKenna against the decision of East Hertfordshire District Council.
 - The application Ref 3/20/0487/LBC, dated 5 March 2020, was refused by notice dated 10 September 2020.
 - The works proposed are the removal of the existing ground floor structure to be replaced by a new ground floor structure set at a new level. New partitions and doors, sanitary installations and decorations.
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Decision

1. The appeal is allowed and listed building consent is granted for the removal of the existing ground floor structure to be replaced by a new ground floor structure set at a new level. New partitions and doors, sanitary installations and decorations at 1 Priory Street, Ware, SG12 0DA in accordance with the terms of the application Ref 3/20/0487/LBC, dated 5 March 2020, subject to the conditions set out in the schedule attached to this decision.

Procedural Matters

2. On 20 July 2021, the Government published its revised National Planning Policy Framework (the Framework). Planning decisions must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is such a material consideration and as such in reaching my decision, I have had regard to the revised Framework. I have not felt it necessary to seek views on the matter as the provisions of the Framework relevant to this appeal are mainly unchanged. I am satisfied that no party has been prejudiced by my approach.
3. The scheme was revised over the course of the planning application and additional drawings have been submitted with the appeal. I have considered all of the drawings submitted with the appeal. Consequently, the drawings I have approved differ slightly from those listed on the Councils decision notice. The Council and the appellant have been given the chance to clarify the drawings, I am satisfied that no party has been prejudiced by my approach.

Main Issue

4. The main issue is whether the proposed development/works would preserve the grade II listed 1 1A 1B 1C, Priory Street or its setting and any features of

special architectural or historic interest that it possesses and whether the scheme would preserve or enhance the Ware Conservation Area.

Reasons

Significance

5. The appeal property is the basement and ground floor of a two-storey building with basement known as the grade II listed 1 1A 1B 1C Priory Street (No 1 Priory Street). It is within the Ware Conservation Area (CA).
6. 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 199 of 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.
7. No 1 Priory Street is a former coaching inn of medieval origin. However, it has been significantly altered. It has a late C18 main front elevation in Flemish bond brick painted white, with a central door and fanlight, a first-floor central blind window opening and three formally arranged sash windows, with the original carriage entrance set behind timber panelled doors. Original oak joists and lateral beams are visible on the underside of the floor over the carriage entrance.
8. Inside, the ground floor comprises two main rooms separated by a brick chimney stack. There is a section of exposed timber framing in the northern corner of the ground floor wall and the first floor beams are visible in the ground floor ceiling with original mortices indicating the location of a partition which has now been removed. The ground floor timber framing is visible from the basement and it has an oak chamfered beam which spans from the front to the rear with original mortices indicating the positioning of original floor joists. However, the internal plaster, the ground floor joists and chipboard flooring are all modern.
9. The CA covers a large part of the town including its commercial centre and some of its residential suburbs including part of the River Lea. There is evidence of late iron age and Roman settlements at Ware. Consequently, there are many historic buildings of a variety of periods, some of medieval origin. The narrow commercial High Street and intersecting narrow side streets are particularly notable.
10. Insofar as is relevant to the appeal, the significance of No 1 Priory Street derives from its historical use as a commercial building in the town centre and its traditional architectural internal and external detailing. Furthermore, insofar as is relevant, I find the significance of the CA derives from the architectural detailing, layout and uses of the traditional buildings within it and their relationship with the River Lea.

Effects on No 1 Priory Street and the Ware Conservation Area

11. At the time of my site visit, softwood stud and plasterboard walls and the ground floor skirting boards had been removed as had the plasterboard basement ceiling. I am satisfied these features were modern such that these works have not involved the loss of any historic fabric.
12. The proposed new stairs and additional quarter turn, newels and balusters would be of traditional design and would replace a simple modest staircase, which whilst traditional is not the original staircase in its current location. Furthermore, proposed new partitions, new doors and door frames and sundry alterations would be undertaken to the rear area of the ground floor. It is clear that the ground floor has already been extensively modernised, and none of these works would involve the loss of historic fabric which would cause harm to the listed buildings significance. Subject to details of how the proposed stairs would be installed I am satisfied all these works could all be undertaken sensitively and sympathetically to the listed building.
13. The softwood floor joists and chipboard flooring in the ground floor would be replaced with new green oak floor joists installed in the position and sockets of the original floor joists. On top of the new oak floor joists would be a sound mat on tongued and grooved timber boards. Although, the sound mat and boards would be thicker than the existing chipboard flooring having the effect of increasing the ground finished floor level by approximately 50mm, this change would not affect any historic fabric of the listed building. Indeed the proposed light well between the raised floor and the ground floor window would avoid any impact of the new floor level on any historic fabric associated with that window.
14. Therefore, overall, I find the proposal would preserve the grade II listed building and its features of special architectural or historic interest. Consequently, as there would be no harm to a traditional building within the CA it follows that the CA and its significance would also be preserved. For the same reasons the scheme would also accord with the development plan, particularly Policy HA7 of the East Herts District Plan (2018) which amongst other things seeks to ensure good design and that proposals do not cause harm to designated heritage assets.

Other Matters

15. I acknowledge the comment about the impact on the overall structural integrity of the building and the implications for the dwelling above the appeal property. However, there is no substantive evidence to suggest that the structural integrity of the listed building would be compromised by the proposals.

Conditions

16. The conditions imposed are those which have been suggested by the Council, adjusted in the interests of precision in accordance with the advice on imposing conditions in the Planning Practice Guidance. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty.
17. Even though there are no alterations proposed to the exterior of the building a condition requiring all making good is done sympathetically is necessary in the

interest of preserving the listed building. However, I have not therefore imposed the suggested condition relating to exterior works as it is unnecessary.

18. Furthermore, although some details of the stairs have been provided, the specific details as to how they would be installed and fixed to the listed building are not provided. A condition is therefore necessary to ensure specific details of this element of the scheme are agreed to ensure these works are undertaken sensitively. I have therefore imposed the condition suggested by the Council but adjusted it in the interests of precision and efficient construction.

Conclusion

19. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed.

L Fleming

INSPECTOR

SCHEDULE

- 1) The works authorised by this consent shall begin not later than three years from the date of this decision.
- 2) The works hereby consented shall be carried out in accordance with the following approved plans: 772-2-PLN-21 Existing Ground Floor Plan, 772-2-PLN-20 Site Location Plan, 772-2-SEC-22 Existing and Proposed Section Revision A, 772-2-DET-02 Details, 772-PLN-23 Revision A Proposed Ground Floor Plan, 772-DET-01 Details Revision C, 772-2-PLN-24 Proposed Lower Ground Floor Plan Revision A, 772-2-PLN-22 Existing Lower Ground Floor Plan, Details of Oak Ledged Doors and Frames and Details of Utilitarian Stairs.
- 3) All new works, finishes, and works of making good shall match existing adjacent work in respect of materials, execution, and finished appearance.
- 4) Prior to the removal of the existing staircase, detailed drawings including sections, showing the new and/or replacement staircase which it is proposed to install, together with a detailed description and specification of the works involved in the staircase installation, shall be submitted to, and approved in writing by the local planning authority and thereafter the development should be implemented in accordance with the approved details.

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