
Appeal Decision

Site visit made on 4 July 2022

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 July 2022

Appeal Ref: APP/F1610/Y/21/3288322

Medford House, High Street, Mickleton GL55 6RX

- 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 A Gosden against the decision of Cotswold District Council.
 - The application Ref 20/01716/LBC, dated 26 May 2020, was refused by notice dated 4 June 2021.
 - The works proposed are described as to repair the stone slate roof covering to the central range of the building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the scheme would preserve a Grade I listed building and any of the features of special architectural or historic interest that it possesses.

Reasons

3. Medford House is a Grade I listed building, and thus a designated heritage asset of the highest significance. Whilst the Act sets out the desirability of preserving listed buildings, paragraph 199 of the National Planning Policy Framework (the Framework) makes clear that great weight should be given to the conservation of designated heritage assets.
4. Insofar as it is relevant to this appeal the special interest and significance of the listed building resides in its original construction as a manor house during the late C17th, and its fine formal design and construction in local materials, including a stone slate roof.
5. The scheme relates to the roof of the original C17th part of the building. Given its age it is likely that the slates covering it were originally attached with wooden pegs hung off split battens. Current concealment of its underside by modern finishes makes inspection difficult. Together with a very small area exposed by opening up, only one hip end and a section just above the eaves on one side of the roof were available to view at the time of my visit. In these locations at least, the presence of regularly sawn battens and attachment of the slates with nails provides evidence of past renewal. Whether this is representative of the whole of the roof is unclear given a full inspection has not

been undertaken. This gives rise to some uncertainty which inevitably hinders a full assessment.

6. The areas open to view feature full lime torching between the battens, much of which remains reasonably intact. Torching may well have also been a feature of the original covering. Its use is indeed a traditional technique identified as both increasingly rare and of intrinsic heritage interest by Historic England. In this regard the dispute central to this appeal is whether or not torching should be fully replicated within the context of the further required renewal and refixing of the roof covering.
7. Given that torching has been identified as a feature contributing to the special interest of the listed building, then, failing its retention, preservation would be served by its replication. The significance of the listed building would be likewise conserved by the continuity this would provide. In this regard the appellants have advanced a number of considerations to set against the harm that would thus be caused by its omission from all but one hip end.
8. Principal amongst these is that dampness has been found within some roof timbers, and within a layer of fibreboard attached to the underside of the roof covering. Slates have also come loose as fixings have rusted, and some have become delaminated. The appellants have attributed all such symptoms either wholly or partly to a lack of ventilation and to moisture being held within the torching.
9. Given the age of the roof and type of materials used, nail rot and delamination do not appear to be wholly unusual in themselves. Whilst some rain penetration and absorption into the torching is also likely, dampness has been identified as most particularly afflicting those parts of the roof lined both between the rafters, and beneath the fibreboard, with modern foil faced insulation and plasterboard. When properly installed, fibreboard can play a useful role in the insulation of historic buildings. Foil faced insulation and plasterboard is not however generally compatible with traditional construction, given both its limited permeability, and because foil acts as a vapour barrier. It is thus unsurprising that in areas where it has been installed in combination with fibreboard fitted close to the underside of the roof covering, that dampness has been identified. This is indeed symptomatic of the inappropriate nature of modern interventions rather than the traditional construction of the building. A conservation orientated approach would ordinarily seek to address the causes of harm rather than to accommodate them. The proposal in this case is instead to prioritise retention of the modern insulation and finishes.
10. These have been roughly dated to the 1990s. Whether or not their installation was authorised is unclear as the matter has not been directly addressed by the Council. Either way, if retained, the materials in question would not be made any more compatible with the historic fabric of the building, including the roof timbers with which they are in direct contact, by the works proposed. Risks of damp related decay would indeed remain. As there is therefore no reason to believe that retention would be in the best interests of the long term preservation of the building, this does not provide a context within which the omission of torching can be logically justified.
11. The appellants state that the use of counter battens would be required for ventilation purposes were torching to be retained in combination with reinstated insulation and internal finishes. Though this may well be true if the

current approach was to be taken, no such scheme, or indeed any alternative options have been set before me. The comparative impact is thus hard to judge. In this regard other solutions may well also exist which could avoid the use of counter battens and any related alteration in the profile of the roof.

12. In the presence of linings, the torching is concealed from view. However, as the integrity and authenticity of a historic building extends to the way in which it is constructed, visibility of such details is not essential. Nor therefore would their omission across most of the roof therefore be offset by the retention of torching in one hip end where it would be visible.
13. Fresh torching would temporarily add weight of the roof. However, I have not been provided with any evidence that the roof structure is incapable of supporting such a load.
14. Concealment of torching by linings would give rise to challenges in terms of ongoing maintenance. That said, no clear justification exists for the omission of torching on conservation grounds in the current case. This is because the scheme is otherwise inappropriate, and would not secure the long term conservation of the roof.
15. The works would include removal of a small area of multifoil insulation from one of the hip ends. This would undoubtedly be beneficial given that it is again a product generally incompatible with traditional construction. The legitimacy of its presence is however again unclear, and as the scheme proposes the retention of inappropriate modern insulation across the rest of the roof, its overall impact would remain negative.
16. The scheme would involve some additional works which have not been fully specified. Aside from external works to the chimneys, these include potential relining of flues, which could thus entail significant interventions in the building fabric. In the absence of any details a full assessment clearly cannot be made.
17. There is an accepted need to address the soundness of the roof covering. Even so, on the basis of the evidence before me, and in view of my findings above, doing so in the manner proposed would have a net adverse effect.
18. I therefore find that the scheme would both fail to preserve the special interest of the listed building and fail to conserve its significance. The harm caused in relation to the latter would be less than substantial. Such harm attracts great weight, which is amplified in this case given the Grade I listed status of the building. In accordance with paragraph 202 of the Framework it is necessary to weigh this harm against the public benefits of the scheme.
19. Insofar as conservation benefits have been advanced in favour of the scheme, my assessment above indicates that its overall impact would be negative. This consideration does not therefore attract weight.
20. The appellants state that the scheme would avoid internal disruption and save money. As convenience would ultimately be a private benefit, this again attracts no weight. Insofar as finance is concerned the benefit would likewise be private. In this regard insufficient evidence has been provided to make any more detailed assessment.
21. The retention of existing insulation has been advanced as an environmental benefit in terms of both energy conservation and the avoidance of waste.

Insulation of historic buildings can however be achieved more sensitively, and any waste generated by the remediation of inappropriate works would ultimately stem from those works having been undertaken. Again therefore, these considerations do not attract weight.

22. Insofar as implementation of the scheme would generate building work, the benefits to the broader economy would be negligible. As such, the harm that would be caused by the proposed works would not be outweighed by public benefits.
23. For the reasons outlined above I conclude that the scheme would fail to preserve the Grade I listed building, contrary to the expectations of the Act and heritage policy set out within the Framework. There is no requirement to determine an application for listed building consent against the development plan, and in this instance the Council did not cite any policies.

Other Matters

24. The site is located in Mickleton Conservation Area (the Conservation Area). In view of the duty set out in Section 72(1) of the Act, it is thus necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
25. Insofar as it is relevant to this appeal, the special interest and significance of the Conservation Area resides in the historic layout of the settlement, and the collection and interrelationship of historic buildings and spaces that it contains. The listed building is a historically and architecturally important component which makes a strongly positive contribution.
26. Though I found that the scheme would fail to preserve the listed building, it is unlikely that the adverse effects of the scheme would be appreciable externally. That being so, the character and appearance of the Conservation Area would be preserved, and its significance would be conserved.
27. The site is located within the Cotswolds Area of Outstanding Natural Beauty (the AONB), within which there is a duty to have regard to the purpose of conserving and enhancing natural beauty. As the scheme would again involve works with little external expression, and none within the surrounding landscape, the natural beauty of the AONB would be conserved.
28. The works would result in the destruction of bat roosts. Bats are a European Protected species. The submitted report indicates a potential need for a further survey if works are delayed beyond April 2022, and it is not therefore fully up to date. Had I been otherwise minded to allow the appeal it would have been necessary for me to consider this matter in further detail. However, as I have resolved to dismiss, no further consideration is necessary.

Conclusion

29. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR