



Appeal Decision

Site visit made on 7 June 2022

by David Jones BSc (Hons) MPlan PRTPi

an Inspector appointed by the Secretary of State

Decision date: 09 August 2022

Appeal Ref: APP/M0655/W/22/3292400

Wycliffe United Reformed Church, Edgeworth Street, Bewsey and Whitecross, Warrington WA2 7HZ

- 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 Mike Rushton (Mersey Synod) against the decision of Warrington Borough Council.
 - The application Ref 2019/36266, dated 11 December 2019, was refused by notice dated 10 September 2021.
 - The development proposed is the alteration, refurbishment and structural repair of 2 storey memorial hall, to include comprehensive roof repairs / replacement comprising taking down the structurally unstable existing parapets on Allen Street and Edgerton Street elevations; taking down gable on car park elevation (structural repair to retained gable) and re fenestration.
-

Decision

1. The appeal is allowed and planning permission is granted for the alteration, refurbishment and structural repair of 2 storey memorial hall, to include comprehensive roof repairs / replacement comprising taking down the structurally unstable existing parapets on Allen Street and Edgeworth Street elevations; taking down gable on car park elevation (structural repair to retained gable) and re fenestration at Wycliffe United Reformed Church, Edgeworth Street, Bewsey and Whitecross, Warrington WA2 7HZ in accordance with the terms of the application, Ref 2019/36266, dated 11 December 2019, subject to the conditions set out in the attached schedule.

Procedural Matters

2. The description used in the header above is taken from the application form. It is apparent however that the reference to 'Edgerton Street' is incorrect. The proposed development instead relates to works to the elevation fronting Edgeworth Street.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property, the Bewsey Street Conservation Area (CA), and the setting of nearby listed buildings.

Reasons

Significance

4. The appeal property was constructed around 1901 as a Church Hall. As accurately set out in the appellant's Heritage Statement, it is constructed in red

brick with faience dressing and mullioned and transomed windows. There are also attractive gables on the Allen Street and Edgeworth Street facing elevations which contribute positively to the building's appearance. The building embodies historic fabric and craftsmanship and is locally listed as a non-designated heritage asset (NDHA).

5. The appeal site is located within the CA and occupies a prominent corner plot location. The buildings within the CA comprise various architectural styles, however they share a uniformity in terms of their materials and scale. Insofar as this appeal is concerned, the significance of the CA stems from its large number of well-preserved buildings reflecting the evolution of the area over time. Since its inception as a Church Hall the historic use of the building has always been one of a community use, reflecting the historic development of the area in the eighteenth and nineteenth centuries adjacent to one of the earliest remaining residential streets in Warrington.
6. The appeal property is also viewed in context of nearby Grade II listed buildings at 63-67 Bewsey Street, located opposite the junction with Edgeworth Street. The property has a particular visual connection with these listed buildings and affinity in terms of historic architectural detailing. The appeal building therefore contributes positively to the setting of the listed buildings.

Effect

7. The appeal proposal would see the removal of the parapet walls on the south west and south east elevations, the removal of the existing gable and chimney on the north west elevation, the modification of one first floor window on the south east elevation, and the removal of the existing roof and replacement with a modified roof structure with traditional overhanging eaves.
8. Despite its attractive design the property has fallen into disrepair over a number of years, as detailed within the submitted structural report from 2017 and roof timber inspection undertaken in 2020. I observed during my site visit that the property is currently, both internally and externally, in a very poor state of repair. Parts of the external masonry are missing and the building's attractive gables are, and have been for some time, largely covered by scaffolding and netting as they are considered to be unstable. In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use.
9. The proposed development would have a minor negative effect on the buildings appearance as a result of the loss of the parapet walls. However, the vast majority of the building's decorative and key architectural features would remain. In particular, the attractive gables and associated features on the Allen Street and Edgeworth Street elevations which contribute greatly to the character and appearance of the building would be retained and repaired. The gable and chimney on the north west elevation would also be removed, however given their more simple design and lack of prominence its removal would not have a significantly detrimental effect on the buildings character or appearance. Similarly, the modest modification of the first floor window would have a negligible impact upon the buildings character, which would largely be preserved.

10. My attention has been drawn to a previous dismissed appeal from 2018¹ at the appeal property. The previous appeal scheme however involved the removal of all existing parapets, gables and chimneys from the roof of the building, which the previous Inspector concluded would result in the loss of decorative features that contribute to the buildings character and would diminish its contribution to the wider CA.
11. Significantly however, the appeal scheme before me retains the majority of those decorative features, including the attractive gables on the Allen Street and Edgeworth Street elevations. Consequently, whilst the proposed development would result in the loss of a small element of the buildings decorative and historic features, I find that the scale of any harm on the character and appearance of the host property would be very limited.
12. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The host property's main contribution to the CA derives predominately from views of its Allen Street and Edgeworth Street elevations. As detailed above, the key features of these elevations are the attractive gables and decorative features. The property's rear north west facing elevation is also visible within the CA from Allen Street, however it is these elevations which are the most significant.
13. The most significant of the proposed alterations is the removal of the parapet walls, which would have a limited negative effect on the character and appearance of the CA. However, given the retention of the vast majority of other architectural features on the property and that the adjoining church does not contain parapet walls, the buildings positive contribution to the CA would be retained and any harm caused by the proposed development would be limited.
14. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special or architectural interest.
15. The appeal property is located approximately 50 metres from Nos 63-67 Bewsey Street, which are Grade II listed buildings. These properties form an attractive three-storey Georgian terrace at the junction of Bewsey Street and Edgeworth Street. The appeal property can be seen from Nos 63-67 and forms the backdrop of views of the listed buildings from along Edgeworth Street.
16. Although the appeal property is experienced in views of the Grade II listed buildings, particularly from Bewsey Street, these views are largely dominated by the more substantial Wycliffe Church located in between the Memorial Hall and Nos 63-67. Nevertheless, the Edgeworth Street elevation of the appeal building retains a visual connection with the listed buildings. As detailed above, whilst the proposed development would see the parapet walls removed and the modification of one first floor window on this elevation, its attractive gable, chimney stack and masonry would be retained. As a result, the majority of the building's key decorative features which contribute to both the buildings character and its wider setting would be retained.

¹ Ref APP/M0655/W/18/3199784

Planning Balance

17. Paragraph 203 of the National Planning Policy Framework (the Framework) requires that when determining applications that affect the significance of a non-designated heritage asset a balanced judgment is required, having regard to the scale of any harm, and the significance of the asset. Similarly, paragraph 199 of the Framework states that when considering the impact of a development on a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 of the Framework requires this harm to be weighed against the public benefits of the proposal.
18. It is readily apparent from both my site visit and the information before me that the building is currently in a very poor state of repair. The appeal proposal however would result in the building's structural stability being significantly improved and help secure its long-term future. The currently dilapidated and dis-used building would be brought back into community use, thus bringing about a benefit to the local community. The preservation of a community use would also be consistent with the building's historic function.
19. The proposed development would result in the building being repaired and made safe, which in turn would result in the external appearance of the building being markedly improved from its current condition. Although the proposal would result in the limited loss of historic fabric, it would also entail the removal of 1970's guttering intervention and insensitive ad-hoc measures to secure windows.
20. The appellant has identified that the main cause of the structural issues with the property stems from water ingress, with the building's parapet walls being a major cause due to their inherent design. Although the Council contest this view, citing a lack of an alternative roof design and a failure to deal with the issue in a holistic way, a number of structural surveys and documents have been submitted by the appellant.
21. This includes a letter dated 25 June 2020 from Byrom Clark Roberts which states that *'it is our opinion that in order to mitigate the increasing concerns about the structural integrity of the roof it is our conclusion that the only practical approach would be to replace the roof in its entirety'*. Further correspondence dated the 17 November 2020² refers to the parapet design as being *'inherently flawed'*, with a site inspection undertaken on the 1 July 2002³ describing the inclined lead valleys being at the *'end of their useful life'*. Therefore, on the basis of the information before me, I am satisfied that the proposed development represents minimal intervention necessary to ensure the structural integrity of the building.
22. The Council have referred to paragraph 196 of the Framework which details that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. However, as I observed during my site visit, significant temporary efforts have been made in order to prevent the building from deteriorating further. Furthermore, planning permission was obtained in 2003⁴ to carry out alterations and improvements to the property not too dissimilar to

² Letter dated 17 November 2020 from Elizabeth Darlington, Smithers Purlow

³ Page 3 of Building Condition Report, Job No: 33/2002/9612, Byrom Clark Roberts

⁴ Council Reference A03/46796

the appeal proposal, with further planning applications having been submitted more recently which sought consent to undertake various works.

23. When taken together, I find that these benefits would clearly justify the limited harm that would be caused to the character and appearance of the host property, the CA, and the setting of nearby listed buildings.
24. The proposal would therefore accord with Policies CS1 and QE8 of the CS which seeks, amongst other things, to ensure that developments protect the fabric and setting of heritage assets including conservation areas, listed buildings and locally listed heritage assets.

Conditions

25. I have had regard to the conditions suggested by the Council and have assessed them against the tests set out in paragraph 56 of the Framework. Where necessary and in the interests of precision and enforceability I have altered the wording of the suggested conditions.
26. In addition to the standard time limit condition, I have imposed a condition concerning the approved plans for the purposes of clarity. To ensure that the development respects the character and appearance of both the host property and the CA, I have imposed a condition requiring details or samples of any external roofing and facing materials to be agreed and used. That must be undertaken prior to any development, as they are intrinsic to the development proposed (a condition to which the appellant is agreed).
27. To safeguard the features and appearance of the locally listed building, I have also imposed a condition requiring that any repairs to the external elevations shall be made good using matching or where possible original materials. The condition also requires that any replacement bricks or new mortar shall match the originals.
28. The Council also suggested including a requirement to submit details of any cleaning of the building within the above condition. However, the proposal does not include any reference to cleaning the building, nor has the Council provided any justification been provided as to why the submission of such details would be necessary.
29. A further condition was suggested by the Council requiring the submission of a Construction Method Statement. However, given the presence of an existing on-site car park, and that the proposed works relate to parapet walls and gables at roof level, I do not consider that such a requirement would be reasonable or necessary.

Conclusion

30. For the reasons given above, having considered the development plan as a whole along with all other material considerations, I conclude that the appeal should be allowed.

David Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans; P001538-01, P001538-40-Rev A, P001538-41-Rev A, P001538-42-Rev A.
- 3) The development hereby permitted shall not commence until written and photographic details of the proposed external roofing and facing materials (including manufacturer's details) have been submitted to and approved by the local planning authority. Samples of materials shall be made available to view on site. The development shall be carried out in accordance with the approved details/samples and thereafter be retained.
- 4) All repairs to the external elevations hereby approved, including the replacement of any windows or other part of the building fabric, shall be made good using matching and where available original materials. Replacement bricks and other materials shall match the original in size, colour, texture and bond. Any new mortar shall match the original in composition, texture, colour and joint thickness.