



Appeal Decisions

Site visit made on 23 November 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2022

Appeal Ref: APP/P0119/W/22/3292225

The Brewhouse Barn, Bury Hill, Hambrook BS16 1SP

- 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 and Mrs Louise and Mike Joyce against the decision of South Gloucestershire Council.
 - The application Ref P21/05603/F, dated 13 August 2021, was refused by notice dated 20 December 2021.
 - The development proposed is installation of new steel structure to create ambulant disabled access to rear garden.
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Appeal Ref: APP/P0119/Y/22/3298646

The Brewhouse Barn, Bury Hill, Hambrook BS16 1SP

- 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 Louise and Mike Joyce against the decision of South Gloucestershire Council.
 - The application Ref P21/05607/LB, dated 13 August 2021, was refused by notice dated 20 December 2021.
 - The works proposed are installation of new steel structure to create ambulant disabled access to rear garden.
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Decisions

1. The appeals are dismissed.

Main Issue

2. Brewhouse Barn is a former outbuilding historically associated with and therefore falling within the listing of the Grade II listed building The Elms. In that context, the main issue to be considered is the effect of the proposal on the special architectural and historic interest of The Elms.

Reasons

3. The Elms is a former farmhouse of 18th century origins, said to have been converted from a brewery and malthouse. Its surrounding historic outbuildings, including Brewhouse Barn, contribute to its significance through their utilitarian appearance, offering insight into the listed building's functional past.
4. Brewhouse Barn has undergone a degree of physical alteration through its residential conversion and subsequent use, but its historic, functional form is clearly legible and remains its dominant character trait. This includes along its east elevation, where its long length of preserved stonework wall fabric and linear plan are marked by quite orderly rows of openings. There is little firm evidence that a platform once existed off this elevation and no such structure is identifiable on the historic mapping I have been shown.

5. The proposed steel structure would be a subservient addition to Brewhouse Barn as a whole, would not alter its plan nor remove historic fabric, and its ironwork construction would refer to the existing palette of materials. However, by reason of its scale, height, prominent position, and obvious domestic form, it would be an incongruous addition which would obstruct the preserved fabric and clutter the simple, functional design of the building. The contribution of Brewhouse Barn to the significance of The Elms would therefore be diminished.
6. The point is made that the east elevation of Brewhouse Barn is largely hidden from public view. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building or any of their curtilage structures can be gained.
7. Given the relatively limited impact of the works/development, I would quantify the harm to Brewhouse Barn as less than substantial. Nonetheless, Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated heritage assets.
8. Paragraph 202 goes on to require decision makers to weigh any less than substantial harm to such assets against the public benefits of the scheme, including securing its optimum viable use. That balancing exercise must take place in the context of s.16(2) and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which set a strong presumption against a grant of planning permission or listed building consent for works or development that would cause harm to the special interest of a listed building.
9. The appellant seeks to provide an ambulant disabled entrance to the property. This would make Brewhouse Barn a more inclusive and accessible environment, with a higher standard of amenity for existing and future users. However, the weight I attach to these benefits falls short of justifying the harm that would be caused; harm that must be given considerable importance and weight in the balance. In any event, the continued viable use of Brewhouse Barn as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
10. Moreover, this conclusion brings the proposal into conflict with Policy CS9 of the Core Strategy 2006-2027 (Adopted 2013), Policies PSP1 and PSP17 of the Policies Sites and Places Plan (Adopted 2017) and the Framework insofar as they together seek to secure good design that protects designated heritage assets and the historic environment more generally.
11. The appellant has referred to similar developments around Hambrook but these are not identified. Comparisons are made against a hypothetical, alternatively designed scheme, but I must assess the effect of the proposal on its own terms, not against alternatives which may or may not come forward. It is also suggested that the structure could be demounted at some future point. Given that the proposal is intended to enhance the living conditions in the property, and indeed in the long term, such a scenario is unlikely.
12. For these given reasons, and taking all other matters raised into account, I conclude that the appeals should be dismissed.

Matthew Jones
INSPECTOR