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# Appeal Decision

Site visit made on 10 January 2023

**by E Worthington BA (Hons) MTP MUED MRTPI IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 31 January 2023**

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**Appeal Ref: APP/A2335/Y/22/3304411**

**Wray House, Hornby Road, Lancashire, Wray, LA2 8QQ**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal of details of works required by a condition of a listed building consent
  - The appeal is made by John Yellowley against the decision of Lancaster City Council.
  - The application Ref 22/00018/DIS, dated 4 February 2022, sought approval of details of chosen rooflights including make, model, dimensions and recess pursuant to condition No 4 of listed building consent Ref 21/00553/LB granted on 9 September 2021.
  - The application was refused by notice dated 29 March 2022
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## Decision

1. The appeal is allowed and the detailed drawings submitted pursuant to condition 4 of the listed building consent are approved, namely details of the chosen rooflights including the make, model, dimensions and recess submitted in pursuance of condition 4 attached to listed building consent 21/00553/LB granted on 9 September 2021.
2. The relevant detailed drawing submitted and approved in relation to condition 4 of the listed building consent are: Drawing 001 Location Plan, Drawing 002 Site Plan, Drawing 008A Proposed Front Elevation, Drawing 010A Proposed Rear Elevation, Window Schedule, and Velux External Product Information.

## Background

3. Listed building consent for roof alterations, replacement of existing front rooflight, repairs to existing slate front roof, replacement of concrete tiles with slate and repairs to existing rear rooflights was approved by the Council in 2021. It is the discharge of condition 4 regarding the submission of details of the chosen rooflights which is in dispute.
  4. The Council is content with the replacement of the existing front and rear rooflights with new recessed grey velux rooflights as sought, but only if glazing bars are added. Additionally, with regard to the two new openings to the rear roof plane, the Council finds the submitted details to be unacceptable, and seeks more traditionally detailed conservation rooflights. This is so despite the details sought under this appeal being shown on the plans approved by the Council under the listed building consent.
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5. The front and rear rooflights have already been replaced with those as shown on the plans (and without the glazing bars sought by the Council). However, the works to provide the two new openings for the additional rooflights on the rear roof plane have not taken place.
6. Whilst not cited in the Council's reason for refusal, the appeal property is within the Wray Conservation Area and with my statutory duties in mind, I have considered this matter in my decision.
7. This background has led to my identification of the main issues below.

### **Main Issues**

8. The main issues are whether the submitted details with regard to condition 4 concerning the rooflights, would preserve the listed building Wray House, Hornby Road (Ref:1071558) and any of the features of special or architectural interest that it possesses; and whether they would preserve or enhance the character or appearance of the Wray Conservation Area.

### **Reasons**

#### *The listed building and the conservation area*

9. The appeal property forms part of the Grade II listed building at Wray House. This handsome stuccoed rubble house with a slate roof is built over two storeys with an attic in five bays and dates to around 1800. The central three bays project forward and make up the appeal property. The building reads as an impressive higher order detached dwelling which tells of the wealth and importance of its original owners. It has retained its integrity and authenticity as a rather grand and traditional Georgian dwelling.
10. I find the special interest of the listed building, in so far as it relates to this appeal, to comprise its traditional architecture and detailing as well as its historic fabric.
11. The appeal building is also within the Wray Conservation Area. This covers much of the pretty former agricultural and industrial settlement, and contains a good number of traditional buildings from the 17<sup>th</sup> to 19<sup>th</sup> centuries. Thus its importance is derived from the quality and variety of the historic buildings there and their relationship to each other.
12. The appeal building occupies a prominent position at the end of Main Street, and closes the important view northwards along that road. As a surviving example of a grand detached landmark building using traditional materials, it is an attractive component that adds to the richness of the conservation area. Along with the other long established buildings in this part of the settlement, the authenticity and historic charm of the building contributes positively to the character and appearance of the conservation area and its significance as a heritage asset in relation to this appeal.

#### *The details submitted in relation to the approved works*

13. The existing velux rooflights (one on the front elevation and two on the rear elevation) have been replaced with the new recessed grey velux rooflights as sought. I understand that the previous rooflights had been in place for some 40 years. The plans indicate that the previous rooflight on the front elevation was non-recessed and made of yellow metalwork. The Council agrees that the

replacements of both the front and rear rooflights are an improvement on the former windows, but considers that glazing bars should be added to provide a more traditional detail.

14. Since they are already in place, I saw at my visit that the replacement velux windows are generally slimline in profile and simple in design. Their grey finish rests comfortably against the building's traditional roof tiles, and their recessed nature means they sit relatively flush with the roof. As such they appear for the most part low key and unobtrusive and have a uncomplicated traditional form and design that is sympathetic to the host building and does not appear out of place in the area.
15. This being so, and in the absence of any particular evidence from the Council to demonstrate why they are required to achieve a traditional appearance, I am not persuaded that the addition of glazing bars to these rooflights is necessary. Nor am I convinced that they would enhance the already generally traditional design and appearance of the rooflights as inserted.
16. With regard to the two new openings to the rear elevation, I am mindful that the creation of these has consent, and that it is only the details of the windows/rooflights themselves that are before me. As set out above, the Council seeks more traditionally detailed conservation rooflights for these new openings. The Conservation Officer's comments refer to windows made by 'The Rooflight Company' which are regarded to have sleeker frames and more traditional details such that they appear as historic cast iron rooflights.
17. That said, I have not been provided with any details of those alternative rooflights and so am unable to compare them to the details submitted. Thus I have seen no evidence to demonstrate that the rooflights sought would appear unduly smooth or mechanical in comparison to those favoured by the Council. In any event, given my findings above in relation to the existing windows which have already been replaced, I see no reason why the use of the same grey recessed velux windows for the two new openings on the rear elevation would be harmful.
18. Furthermore, this approach would ensure that the rooflights used for the two new openings would match those of the existing openings on the rear roof plane. This would provide a coordinated and uniform appearance and ensure continuity in the design of the openings. I share the appellant's concern that the use of alternative style rooflights by a different manufacturer has the potential to introduce two contrasting rooflight designs to the historic building's rear roof plane which could lead to an unsatisfactory mismatched appearance.
19. Taking all these factors into account, I am therefore satisfied that the details submitted in relation to the rooflights, would not impair the building's historic legibility or significance, and would therefore preserve its special interest.
20. Thus I conclude on the main issue that the submitted details with regard to condition 4 would preserve the listed building and the features of special architectural or historic interest that it possesses. For the same reasons, it follows that they would also preserve the character and appearance of the Wray Conservation Area.

21. Accordingly I see no conflict with Policy DM29 of the Local Plan for Lancaster District Part 2 Review of the Development Management DPD (Local Plan) which sets out a number of key design principles, or with Local Plan Policy DM37 which seeks to conserve and, where appropriate enhance those elements which contribute to the significance of listed buildings. The proposed details would also align with Local Plan Policy DM38 which seeks to preserve or enhance the character and appearance of conservation areas.

**Conclusion**

22. For the reasons set out above, and having regard to all the matters raised, I conclude that the appeal should be allowed. For the avoidance of doubt, this decision discharges the details pursuant to condition 4.

*E Worthington*

INSPECTOR