



Appeal Decision

Site visit made on 25 July 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 August 2023

Appeal Ref: APP/K0235/Y/22/3306563

The Wheatsheaf, Wilden Road, Colmworth MK44 2NJ

- 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 Goodhew and Abbott against the decision of Bedford Borough Council.
 - The application Ref 21/01553/LBC, dated 1 June 2021, was refused by notice dated 9 August 2022.
 - The works proposed are the conversion of existing overnight accommodation barn and the kitchen/restaurant areas to create 2 additional dwellings, whilst retaining the existing pub with living accommodation above.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council changed the description of the proposed works, and the application was determined on that basis. As the appellant used this revised description in their appeal statement and as it more accurately reflects the nature of the proposal, I have dealt with the appeal based on this description.
3. The listed building application, which is the subject of this appeal, was accompanied by a planning application for the proposed development/works which was also refused by the Council. The appellant has indicated that, at this stage, only the listed building application is the subject of an appeal. As such, I have only addressed the issues as they relate to the listed building application.
4. Both parties agree that the detached accommodation barn was constructed after 1948. Therefore, in accordance with the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), this structure does not meet the tests for being part of the listed building. Therefore, the proposed works to it cannot require listed building consent and I have made no further comments on those parts of the proposed works.

Main Issue

5. The main issue is whether the proposal would preserve the Grade II listed building (listed as The Wheatsheaf Public House) and any of the features of special architectural or historic interest that it possesses, and whether any harm would be caused to the significance of the designated heritage asset.

Reasons

6. The building was listed in 1983 (Ref:1321224) and is a public house dating from the 17th century. The list description details the colour washed brick and rough cast over a timber frame with a part clay and part concrete tile roof. It is of one storey with attics incorporating dormer windows. Windows are a mix of horizontal sashes and some more modern casements. It has 20th century extensions to the west gable end and to the rear.
7. From the details available to me, including the list description, I consider that the special interest and significance of the listed building, insofar as it relates to this appeal, is predominantly derived from its age, form, historic fabric, its architectural features and its historic use as a public house.
8. Section 16(2) of the Act requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
9. I am satisfied from the evidence before me and my visit that the rear extension to the public house which forms mainly the restaurant, kitchen and beer cellar is a relatively modern extension. The Council raises no objection to the proposed physical changes to this part of the building, subject to appropriate conditions. Having reviewed the proposal, I would agree with these findings, except for the details of the proposed new window to the eastern elevation.
10. This window would serve a proposed bedroom and is currently a beer cellar. Its siting would be acceptable given the arrangement of existing nearby openings, but its proposed form and design would not relate to that of adjoining windows. It would have a much lower sill than nearby ground floor windows and its squarer form would appear noticeably different to them. Despite this being a more recent part of the listed building, it would cause a limited degree of harm to its aesthetic and architectural value.
11. Although the existing floor plans submitted with the application do not identify the use of the rooms above the public bar, it was clear from my visit that these serve as residential accommodation associated with the public house and have done so for some time. The proposed works would include the creation of a doorway in the south elevation to serve the accommodation and the pub, the conversion of the pub toilets to form a private bathroom and utility room for the accommodation, the conversion of the first floor bathroom to a bedroom, and the installation of a kitchen.
12. I am satisfied from what I have seen that the new door location is a previously infilled door opening. The reinstatement of this doorway together with an appropriately designed door in place of the existing modern window of poor design would in my view benefit the aesthetic and architectural value of the building and its legibility. The building's special interest and significance would therefore be enhanced to a moderate degree.
13. The conversion of the pub toilets to a bathroom/utility room to serve the living accommodation would cause no harm to the special interest/significance of the listed building, as the evidence before me, including the list description,

indicates that this is part of a more recent extension. These internal alterations would not, therefore, interfere with the historic floor plan or fabric. Therefore, details of servicing and ventilation in this respect could be required by the imposition of a condition if I was minded to allow the appeal. Likewise, there is no objection to the removal of a relatively modern partition in bedroom 1 directly above which currently serves as a connecting passageway to the rear extension.

14. There is currently no kitchen within the first floor accommodation and I have no information before me to indicate that one has been there previously. Current residents would more than likely use the existing kitchen serving the restaurant downstairs. Given the nature of the overall proposals, a kitchen would need to be provided within this accommodation. This is proposed to be sited within the bay of the historic building nearest to the staircase. This room is attic space with a steeply sloping roof, low eaves and a single dormer window. Timber framing is evident within each wall and doorways in the dividing walls limit the available space.
15. Although it may be possible to convert this room to a kitchen, I have insufficient information before me to illustrate how kitchen units would be accommodated, given the restricted amount of vertical walling, and how the conversion of this room would impact the historic fabric of the building. For example, I have no adequate details of what timber framing would be obscured by the units and wall finishes, where the pipe runs would be, and details of extraction and external cowls. Furthermore, I saw evidence within the building of wattle and daub infill between the timber framing and the nature of the building fabric would need to be understood before proposing fixing to this material or adding impervious wall finishes. These details cannot be required by the imposition of conditions because the nature and scale of the works are unclear and such information may not successfully mitigate the proposal's impact on the building's special interest/significance.
16. A toilet cubicle would be installed in the end bay of the public bar. A photograph in the appellant's submission indicates that the ground floor at the rear is a relatively modern extension. Although the evidence on site confirms that the cubicle would be sited in this later addition, it would still represent the severing-off of a section of the existing room. It would create an awkward dogleg contrasting with the more regular plan form and thereby erode the contribution that the plan form makes to the building's special interest/significance.
17. Although the appellant indicates that the living accommodation within the historic building would continue to operate in conjunction with the public house, the proposed works would enable it to have the potential to operate as an independent dwelling. This would be a significant change from the existing sharing of some facilities with the public house. Therefore, it is not clear to me whether additional works for acoustic and fire separation from the pub below or insulation would be necessary, and I have no adequate information before me to clarify this matter, including what those works might entail. Potentially, in my experience, these works could entail a loss or concealment of historic fabric or detailing. These details cannot be required by the imposition of conditions because the nature and scale of the works are unclear and such information may not successfully mitigate the proposal's impact on the building's special interest/significance.

18. The historic use of the building as a public house is part of its evidential and historic value and contributes to its significance. If that use ceases because the business is no longer viable, then the building's significance/special interest would be irreversibly harmed. I have nothing before me to show how the proposed reduced size of the public house would allow it to continue to operate. With no beer cellar or storage areas, commercial kitchen or restaurant, and only one toilet, it appears to me that the successful operation of that business may be compromised. Furthermore, it is possible that future adaptations or additions may also be required to provide facilities that have been removed because of this proposal which could ultimately harm the building's special interest/significance.
19. Overall, the limited evidence before me does not offer sufficient clarity and robustness for me to be able to conclude that those elements of the proposal would not cause harm to the building's special interest/significance. Moreover, with respect to the installation of the kitchen proposal, from the information before me, it appears likely that there would be a harmful impact.
20. Considering all of the proposed works, I consider that it has not been demonstrated that they would preserve the special interest/significance of the listed building. Therefore, the expectations of the Act are not met. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to its conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of those assets and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage asset as a whole, in the language of the Framework, would more than likely be less than substantial in this instance. This commands considerable importance and weight and is not a less than substantial objection to the proposal.
21. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
22. I note the appellant's intention to re-open the public house, to retain the accommodation above and to provide a further two dwellings on the site. Potentially this would enable the building's historic use to be maintained as well as providing additional residential accommodation. However, the planning appeal relating to this proposed development is not before me and I have no other evidence before me to indicate that the overall development can be implemented. As I am only considering the works subject to this listed building application, I can only regard this intention to be a limited public benefit.
23. I have found that the reinstatement of the doorway to the south elevation would benefit the aesthetic and architectural value of the building. However, there is no evidence that this proposal would be the only means of achieving the reinstatement of this doorway. This therefore could only be considered a modest public benefit.
24. The proposed changes to the residential accommodation above the public bar including the provision of a first floor kitchen and the reinstatement of the doorway would more than likely be beneficial to the occupants, providing a

more convenient kitchen and access without passing through the public bar. However, I regard this as a private rather than a public benefit.

25. As the planning appeal is not before me and considering my concerns regarding the proposed reduced size of the public house and its ability to continue to operate, I have little evidence to demonstrate that the proposed works are required to ensure the optimum viable use of the property. There may be alternative schemes which would allow the public house to reopen which would not result in harm to the listed building. Furthermore, the residential use above the public bar is ongoing and it has not been suggested that this use would cease in the absence of the approval of the proposed works. No other public benefits have been suggested.
26. Given the above, I conclude that the public benefits identified would be of insufficient weight to outweigh the great weight to be given to the harm to the Grade II listed building. As such, the proposal would not comply with paragraph 202 of the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the listed building.
27. The proposal would fail to preserve the Grade II listed building and any of the features of special architectural or historic interest that it possesses and would cause harm to the significance of the heritage asset. It would fail to satisfy the requirements of the Act and paragraph 199 of the Framework and the development plan policies insofar as these are relevant.

Other Matters

28. The Council refers to The Thatched Cottage, Wilden Road, which is a Grade II Listed Building (Ref:35423) near to the appeal premises. The list description mentions that this is a 17th century, 2-bay thatched cottage which is colour washed rough cast over a timber frame. As a statutory consideration, I am required to have regard to this property in determining the appeal. From the information before me, including the list description and my visit, I consider that given the location and siting of this building in relation to the appeal site, it would have very little if any intervisibility with the proposal. Moreover, I have no evidence of a functional link between the appeal site and this listed building. As such, I consider that, in relation to this appeal, it does not form part of the setting of the appeal property.
29. I have had regard to comments raised by third parties. However, apart from matters which have been addressed in this decision, they predominantly relate to the accompanying planning application and are therefore not relevant to the appeal before me.
30. The appellant has expressed concerns regarding the conduct of the Council during the determination of the application. However, these are matters best addressed by the Council and do not affect the merits of the appeal before me.

Conclusion

31. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR