



Appeal Decisions

Site visit made on 5 September 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 18th October 2023

Appeal A Ref: APP/T3725/W/23/3316627

17 Bridge Street, Barford, Warwickshire CV35 8EH

- 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 B Pulley against the decision of Warwick District Council.
 - The application Ref W/22/1332, dated 16 August 2022, was refused by notice dated 21 November 2022.
 - The development proposed is single storey rear extension with flat roof, new first floor window to rear elevation and replacement of existing windows with new.
-

Appeal B Ref: APP/T3725/Y/23/3316628

17 Bridge Street, Barford, Warwickshire CV35 8EH

- 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 B Pulley against the decision of Warwick District Council.
 - The application Ref W/22/1333/LB, dated 16 August 2022, was refused by notice dated 21 November 2022.
 - The works proposed are single storey rear extension with flat roof, new first floor window to rear elevation and replacement of existing windows with new.
-

Decision

1. Both appeals are dismissed.

Preliminary matters

2. There are two appeals on this site. They relate to the planning application and listed building consent for the same scheme. To avoid duplication, I have dealt with them together, except where otherwise indicated.
3. Whilst the Council makes no reference in their reason for refusal to the effect of the proposed new windows on the significance of the designated heritage assets, the Council has raised objections to this element in the listed building consent delegated report. The appellant has also referred to them in their appeal statement. To reflect my statutory duty, I have addressed this element of the proposal as part of my decision.

Main Issue

4. The main issue in both appeals is the effect of the proposal on the special interest of a Grade II listed building, the setting of a Grade II listed building and on the character or appearance of the Conservation Area.

Reasons

5. The dwelling (listed as 17 Bridge Street) was listed in 1987 (Ref.1116501) and is a Grade II listed building within the Barford Conservation Area (CA). The

building is set back from Bridge Street by a small front garden and this setback gives the property a more commanding presence in the streetscape. The main building is of two storeys with a single storey wing linking to an adjoining building. It is constructed in brick with a part clay tile and part slate roof. The list description states that the building is late 18th century and mentions its steeply pitched roof with gable ends and describes the architectural detailing of the frontage. This includes a central doorway with six panel door and reeded pilastered doorcase, modern cross mullion/transom casement windows with glazing bars in original openings and segmental brick arches. It should be noted that list descriptions are primarily for identification purposes only and do not provide an exhaustive or complete description of the special interest of those buildings. Therefore, proposed alterations to elevations or features not mentioned in the list description does not mean that there would be no effect on the building's special interest/significance.

6. In contrast to the number of openings on the front elevation together with their architectural detailing, the rear elevation is largely without openings, having only a narrow doorway and glazed vertical window in the main building overlooking the garden. Along the northern boundary is a single storey outbuilding attached to the house which creates a clearly discernible L-shaped plan form to the overall building. A garage and buildings on the other boundaries largely enclose the rear garden to form a courtyard area and these limit public views to the rear of the dwelling.
7. From the evidence before me, including the list description, and my own observations, I consider that the special interest and significance of the listed building, insofar as it relates to these appeals, is predominantly derived from its age, plan form, fabric, function, and its architectural features. A key feature is the active frontage of the dwelling with its main windows and entrance addressing the street and relatively few openings to the rear.
8. The appellant's Heritage Statement notes that the building was built as a farmhouse and in this regard, there is a separately Grade II listed building alongside which is a former barn now converted to a dwelling. This property is listed as Barn between numbers 11 and 17, opposite Bridge House and south of number 17 Bridge Street, Barford (Ref.1364887), listed in 1982 (the listed barn). The list description mentions that this building is probably 17th century and is a former timber-framed barn, with tiled roof, which has been partly rebuilt and extended. Its special interest and significance insofar as it relates to these appeals, is predominantly derived from its age, form, fabric and historic function. There is some intervisibility between the appeal building and the listed barn when viewed from Bridge Street and together they are identified as having Group Value. The appeal building therefore forms part of the environment within which the listed barn is appreciated and experienced, and can therefore be treated as forming part of the barn's setting.
9. The CA is focussed on properties flanking the historic routes within this rural settlement, which is set within an agricultural landscape near to the River Avon. The significance of the CA is mainly drawn from the predominantly rural character and range of traditional buildings that it contains, together with its use of materials, pattern of development and the relationship of the buildings to the spaces around them. The appeal building and listed barn alongside are prominently viewed along Bridge Street, and contribute positively to the character and appearance of the CA.

10. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. 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.
11. The proposal would involve a single storey rear extension with a flat roof extending across most of the rear elevation of the two storey dwelling. It would be constructed in brick reclaimed from the property with bi-fold glazed doors and a membrane roof. Two sections of the rear brick walling would be removed to allow the existing kitchen and lounge to extend into the new extension, one of which would incorporate the existing doorway. In addition, a new window would be inserted into the rear wall to serve the first floor landing, and all existing windows would be replaced with painted timber windows.
12. The proposed addition of a large, flat-roofed extension would radically transform the appearance of the existing relatively blank rear elevation with minimal openings. It would introduce a large expanse of glazing, disrupting the appearance of this façade and fail to reflect the smaller openings present on the building. The extension would also be of a substantial massing and be of a very different form and appearance to the surrounding traditional buildings with pitched roofs. Its overall height would also be higher than the eaves of the existing single storey wings of the building which would further emphasise its dominance. It would appear as a large, discordant element which would fail to harmonise with the form and character of the dwelling and distort the visual relationship with the single storey buildings within this small courtyard.
13. Whilst the use of matching brickwork would help the extension assimilate with the walling of the existing building it would not address the harm arising from the inappropriate form, scale and design of the proposal and the extent of the brickwork would emphasise its bulky form. It would therefore erode the ability to appreciate the special interest/significance of the listed buildings from the rear garden. Whilst the contemporary design would make the extension appear distinct, in my view, it would further exacerbate the inappropriateness of the appeal proposal and harm the building's significance/special interest.
14. The creation of the two large openings in the historic rear wall would result in the loss of a sizeable amount of historic fabric. Moreover, it would disrupt the historic floorplan of the dwelling which is characterised by small rooms in a linear plan. The removal of the walling to create a more open-plan arrangement is distinctly at odds with the character of these historic spaces, distorting the historic identity and legibility of the building.
15. Although the extension would be largely hidden from public view, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views are available. Equally, the significance of a listed building is not just focussed on frontages, and I have explained that the significance of a listed building is not limited to those elements mentioned in the list description. In the case before me, the rear elevation and the internal

floorplan contribute to the building's special interest/significance and the proposed extension would be harmful to it.

16. Because of the level of screening of the rear elevation, there would be little intervisibility between the site of the proposed extension and the adjoining listed barn and therefore, in my view, there would be no harmful impact on its setting. As this screening also limits public views, there would also be no harm to the character or appearance of the CA.
17. Whilst the list description mentions that the windows are modern and it is suggested by the appellant that they were installed in the 1970s and of poor quality, I have no adequate information before me to assess the contribution that the existing windows make to the significance of the building. I saw that the existing windows are mainly single glazed with the glass putty fixed, have structural, moulded glazing bars, several frames have pegged joints, and, in my experience, the overall design is reflective of traditional detailing. The windows therefore need to be properly evaluated and their condition assessed before a decision is taken on their replacement. Full joinery details would also be required to demonstrate that any replacements would preserve the significance of the listed building. This is especially important considering that double glazing might be considered which has the potential to significantly alter the construction, detail and appearance of a window. Joinery details would also be required to allow proper consideration of the proposed new window opening in the rear elevation. This could not be addressed through a joinery condition as these matters are pivotal to the decision. Therefore, the evidence before me does not offer sufficient clarity and robustness for me to be able to conclude that this element of the proposal would not cause harm to the building's special interest/significance.
18. Given the intervisibility between the appeal building and the listed barn, and the prominence of the building within the CA, the proposed changes to the windows have the potential to visibly affect and harm the building's appearance from some distance away. For the reasons already explained above, I therefore cannot be certain that there would be no harm to the setting of the listed barn or to the character or appearance of the CA.
19. Considering all of the above, I find that the proposal would fail to preserve the special interest and significance of the listed building. The proposed changes to the windows would also have the potential to have a harmful impact on the contribution that the setting makes to the special interest/significance of the listed barn and on the character and appearance of the CA. Therefore, the expectations of the Act are not met. Paragraph 199 of the Framework advises that when considering the impact of proposals on the significance of designated heritage assets, great weight should be given to the asset's 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 assets as a whole, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal.
20. 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.

21. The proposal would be clearly beneficial to the appellant's living conditions, providing more living space and avoiding the need to move, provide improved natural light and more open plan living. However, I regard this as a private rather than a public benefit. Moreover, I have been given no evidence that the continued viable use of the appeal property as a residential dwelling is dependent on this proposal, as the building has an ongoing residential use that would not cease in its absence. Nor has it been demonstrated that the proposal represents the optimum viable use of the property.
22. The appellant suggests that the proposal would make efficient use of a housing site in an area accessible to services and facilities to meet an identified need, would be of high quality and would benefit from the presumption in favour of sustainable development. Whilst using land and buildings effectively could be regarded as a public benefit, it has not been demonstrated that such improvements could not be achieved through alternative means, thereby avoiding the harm identified to the heritage assets. This limits the weight that can be attributed to this benefit. Protecting and enhancing the historic environment is part of the interdependent objectives of achieving sustainable development in the Framework. As I have found harm to designated heritage assets, the development cannot therefore be regarded as sustainable development.
23. As there is inadequate submitted detail regarding the existing and replacement windows it cannot be concluded that replacing them would enhance and better reveal the historic significance of the listed buildings or the CA. Therefore, this issue cannot be afforded any weight as a public benefit.
24. 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 designated heritage assets. 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 designated heritage assets.
25. Consequently, the proposal would not comply with Policy HE1 of the Warwick District Local Plan (2017) and Policy B6 of the Barford Neighbourhood Development Plan. These policies, amongst other things, seek to protect and enhance the significance of designated heritage assets. I consider that these policies are broadly consistent with the Framework and the conflict with them has significant weight. As a result, the proposal would not be in accordance with the development plan as a whole.

Conclusion

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

G Bayliss

INSPECTOR