
Appeal Decisions

Site visit made on 28 November 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2023

Appeal A Ref: APP/F1610/W/22/3308220

7 Church Street, Willersey, Gloucestershire WR12 7PN

- 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 Leo Crabtree against the decision of Cotswold District Council.
 - The application Ref 22/02505/FUL, dated 13 July 2022, was refused by notice dated 21 September 2022.
 - The development proposed is the erection of a single storey rear extension to include cladding to rear.
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Appeal B Ref: APP/F1610/Y/22/3308221

7 Church Street, Willersey, Gloucestershire WR12 7PN

- 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 Leo Crabtree against the decision of Cotswold District Council.
 - The application Ref 22/02506/LBC, dated 13 July 2022, was refused by notice dated 21 September 2022.
 - The works proposed are the erection of a single storey rear extension to include cladding to rear.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. 7 Church Street forms part of a Grade II listed building comprising six cottages known as Nos 4, (Burrell), 5, 6 (Appledore) 7, 8 and 9 Church Street, Willersey. The appeal site is also located within the Willersey Conservation Area (CA). Accordingly, and as relevant, I have borne in mind my statutory duties in respect of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The National Planning Policy Framework (the Framework) was updated on 5 September 2023 and after the submission of the appeals. The historic environment policies have remained unchanged within the new version of the Framework, which is a material consideration in planning decisions.

Main Issues

5. The main issues in both appeals are the effect of the proposed works and development on the Grade II listed building, its setting and any features of

special architectural or historic interest it possesses; and whether the character or appearance of the CA would be preserved or enhanced.

Reasons

Significance and special interest

6. The Grade II listed building (nos.4-9 Church Street) comprises six modest, two storey dwellings dating from the 18th century that occupy the north-west side of Church Street in the village of Willersey. The statutory list description describes the principal elevations of the terraced cottages, referencing amongst other features the coursed squared and dressed limestone, limestone slate roofs and fenestration which forms part of their group value.
7. The significance and special interest of the listed building is derived, in part, from its aesthetic interest as an example of an 18th century terrace of vernacular Cotswold stone cottages. The modest status of the dwellings is evident in their relatively simple form that presents directly onto the road, limited scale and restrained architectural detailing. Although not exact replicas, the matching rooflines, eaves height and broadly regular placement of windows, doors and stacks gives the cottages a balanced impression, promoting visual consistency within the listed building.
8. In addition, the quality and colour of the local stone used in their construction is an important part of their significance and special interest. It gives a homogeneous appearance to the listed building, reflects longstanding building traditions that use recognisably local materials and roots it to the Cotswolds. The prevalent use of Cotswold stone is evident in other nearby vernacular buildings in Willersey. Hence, the listed building also forms a valuable component of the wider settlement, contributing to its distinctive local identity.
9. The listed terrace at nos. 4-9 has been subject to various alterations over time, particularly to the rear, including some extensions. Nevertheless, for the most part their modest scale, less prominent positioning and general use of sympathetic materials continue to respect the vernacular architecture and surviving historic fabric of the listed terrace as an entity.
10. No.7 comprises a mid-terrace, two storey cottage and typifies the characteristics described above both in terms of its relatively unaltered principal elevation, and the modest alterations and extensions to the rear. As such, it makes an integral and positive contribution within the listed building and reinforces its significance and special interest.
11. The CA covers a central area of the village. The designation includes the older parts of the settlement within which there is a high concentration of traditional vernacular buildings, many of which are listed. There is a pleasing contrast between the greenery and spacious configuration found along Main Street with the more intimate, tight knit layout of buildings that enclose Church Street terminating with St Peter's Church.
12. Notwithstanding some differences in the layout and form of buildings, the prevalent use of Cotswold stone gives a strong unifying appearance. Hence, the consistent use of a limited palette of materials underpins the coherent character of the village. Thus, part of the significance of the CA is derived from the historic built form and traditional materials found in the attractive, largely vernacular village streets, which includes the appeal site.

13. Consequently, no.7 possesses architectural aesthetic qualities that make a positive contribution to the distinctive character and appearance of Church Street and the CA as a whole.

The effect on the listed building and CA

14. The proposed works and development would involve introducing a single storey extension to the rear of the property. This would displace an existing WC and log store and would span the width of the plot. The structure would have an obvious contemporary appearance incorporating a flat roof with lantern, and large folding glazed doors. In addition, it is proposed to finish the rear extension and an existing first floor brick extension in timber cladding with a black finish (Shou Sugi Ban cladding).
15. The proposed rear extension would read as a modern addition in part owing to its contemporary form. Its siting at the rear of the property and relatively modest size and height are factors that would prevent the additional volume from undermining the special interest of the Grade II listed building and wider CA. Furthermore, its positioning would generally avoid disturbing historic fabric within the listed building. As such, these elements of the scheme would not be intrinsically harmful. Moreover, it is highly relevant to my determination that permission and consent exist¹ for a similar extension, albeit finished in different materials.
16. The permitted scheme allows an extension of similar dimensions to be constructed in Cotswold stone. Consequently, it is the proposed use of black timber cladding in the extension and at first floor level which represents the principal difference. It is with respect to this element of the scheme that I have several concerns.
17. Firstly, the difference in colour between the honey-coloured traditional stone and dark stained cladding would be a dramatic one. This would be out of keeping with the underpinning consistency of material usage that contributes towards the significance of both the listed building and CA.
18. The proposed dark cladding would feature across the entire width of the rear elevation at ground floor and for a good proportion of the first floor. As such, it would become the dominant material in the rear façade of no.7. Rather than having a unifying effect, the extent of the proposed cladding would give undue emphasis to the modern additions at the rear which would ultimately give it an uncharacteristically stark appearance. Hence, although it would clearly differentiate the modern additions to no.7, it would also harmfully undermine and distract from the traditional vernacular architecture at the property.
19. A contemporary approach to design, including with respect to materials, may sometimes be appropriate. However, in all cases the National Design Guide explains that to be well grounded in their locality² development needs to be based on a sound understanding of the features of the site and surrounding context. The evidence before me does not convincingly demonstrate how the proposed black timber cladding would reinforce or support the elements of local identity and vernacular architecture that are important components of the significance of the listed building and CA. Therefore, although the appellant rejects the continued use of Cotswold stone as pastiche, there is little positive

¹ Referenced 21/00289/FUL and 21/00290/LBC permitted 13.8.21

² Paragraphs 38-44

justification of how Shou Sugi Ban cladding would be an appropriate response to the local context.

20. It is asserted that the proposal would make an unequivocal statement that the extension would be of the 21st century. However, in this sensitive historic context which relates to a modest dwelling within a wider terrace, the extent of the dramatic contrasting effect would be overwhelming and therefore, inappropriate. It follows that the proposal would be unsympathetic to local character and history and would therefore fail to accord with paragraph 130 of the Framework.
21. My attention is drawn to the previous use of timber cladding at no.8 and a previous timber conservatory at no.6. Nevertheless, neither the evidence presented, nor my own observations suggest a similar extent or appearance of timber cladding as the proposals before me. Hence, the general presence of former timber elements within other alterations to the wider listed building would not justify, nor address the harm to significance that I have specifically found in relation to the appeal scheme.
22. Consequently, the proposals would have an unsympathetic and discordant effect on no.7 which would fail to preserve the special interest of the wider Grade II listed building. Conflict would therefore arise with sections 16(2) and 66(1) of the Act.
23. In terms of the CA, owing to the harmful effects of the proposed cladding, the proposals would weaken the positive contribution made by the listed terrace to the wider area. As such, it would fail to preserve or enhance the character or appearance of the CA as a whole. There would therefore also be conflict with section 72(1) of the Act.
24. In terms of the Framework, it follows that the proposals would cause harm to the significance of both the listed building and the CA as designated heritage assets. Given the relatively modest nature of the proposals, the degree of harm to the significance of each asset would be less than substantial. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. Furthermore, paragraph 202 indicates that this harm should be weighed against the public benefits of the proposals.

Heritage balance

25. The appeal scheme would result in additional living accommodation space to the property at no.7. Consequent economic benefits during construction and increased investment into the fabric of the listed building represent public benefits.
26. The proposed timber cladding would utilise a natural material, which is durable, low maintenance and which in time, could be recycled or disposed of. Hence, its use resonates with the Framework's general encouragement for a low carbon future, and although unquantified would be likely to yield some environmental benefit.
27. Nevertheless, owing to the minor scale of the scheme, the cumulative weight of such public benefits would be very modest.

28. Balanced against this is the great weight³ carried by the less than substantial harm to each designated heritage asset. Hence, I find that the sum of public benefits would not be sufficient to outweigh the less than substantial harm to the respective significance of the listed building and CA. Conflict therefore arises with the historic environment protection policies within the Framework.
29. I further find that there would be conflict with policies EN1, EN2, EN10 and EN11 of the Cotswold District Local Plan 2011-2031, August 2018, insofar as these require proposals to achieve a high design quality that complements and respects the character of the area, local distinctiveness and protects or enhances heritage assets.

Other matters

30. My attention is drawn to incidences where timber cladding has been permitted at other buildings. These include at the appellant's former home in Willersey (which was a listed cottage), Rose cottage in Gloucestershire, Furzey Hall Farm in Oxfordshire and a reading room extension to a 17th century cottage in the Cotswolds.
31. Nevertheless, the limited information provided in relation to these examples does not fully explain the nature or context of those extensions, which inhibits a proper comparison with the appeal scheme. From the limited photographic evidence supplied, at least three of the examples appear to relate to considerably larger properties than the appeal building, whereby the relative extent of the use of cladding relative to the original property would have been different. Moreover, the significance and special interest of each heritage asset will be particular to each individual building. Just because some works and development might be acceptable for one heritage asset, it does not follow that this generally extends to others.
32. Consequently, it is not demonstrated that these examples are directly comparable to the appeal proposals. Whilst I have credited them with limited favourable weight, they do not lead me to a different view in relation to the main issues in the case before me.
33. The appellant is critical of the way the Council publishes consultation and ward member responses. He further asserts that the Heritage Officers did not visit the appeal site. However, the behaviour of the Council in these respects are not matters that lie within the scope of my determination of the appeals, which have been considered on their merits.

Conclusions – both appeals

34. I have found that the works and development would conflict with the statutory provisions set out in the Act; the historic environment policies within the Framework; as well as the heritage and design policies in the development plan. There are not wider public benefits sufficient to outweigh the harms identified.
35. In relation to Appeal A, material considerations do not indicate I should make a decision other than in accordance with the development plan.

³ Paragraph 199, National Planning Policy Framework

36. Therefore, for the above reasons, I conclude that Appeal A and Appeal B should be dismissed.

Helen O'Connor

Inspector