



Appeal Decisions

Site visit made on 12 September 2023

by Paul Freer BA (Hons) LLM PhD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2023

Appeal A Ref: APP/T2350/W/22/3308399

Crow Hill Cottage, West Lane, Worston, Lancashire BB7 1QA

- 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 David Clemson against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0263, dated 8 March 2022, was refused by notice dated 26 July 2022.
 - The development proposed is a single storey garden room extension to the rear.
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Appeal B Ref: APP/T2350/Y/22/3308403

Crow Hill Cottage, West Lane, Worston, Lancashire BB7 1QA

- 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 David Clemson against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0491, dated 25 May 2022, was refused by notice dated 26 July 2022.
 - The works proposed is a single storey garden room extension to the rear. Window to be enlarged on north elevation.
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Decisions: Appeal A is dismissed. Appeal B is dismissed.

Procedural matters

1. I carried out an unaccompanied site visit on 12 September 2023. There is a public footpath that runs behind the property. I was able to see everything that I needed to make my decision from there and the public highway onto which the property faces.
2. The proposal in the application for Listed Building Consent is, in part, described as a window to be enlarged on the north elevation. However, the proposed elevations also show additional windows in the existing kitchen area¹. The Design & Access Statement submitted with the application confirms that the proposal involves alterations to windows at the rear to improve the natural light provision and to offer improved connection to the rear garden area. There is also reference to new window openings in the Officer's Delegated Report. I will therefore treat the proposal works as including the additional windows in existing kitchen area.

¹ Drawing A2.2

3. I note that there are a significant number of errors and inconsistencies in the submitted drawings. Those that I picked up include:
 - the elevation identified as the West Elevation on the drawing for the Existing Elevations is identified as the East Elevation on the drawing for the Proposed Elevations². The former is correct.
 - in relation to the West elevation, the window adjoining the main entrance is shown differently on the drawing for the Existing Elevations than on the drawing for the Proposed Elevations. The latter appears to be the more accurate depiction of that window. That window is shown on the Existing Elevations as being considerably higher than the door opening, of different design and much closer to the windows at first floor level, and is therefore a misrepresentation of the actual existing window.
 - in relation to the North elevation, the gables to the three sections of the building are shown differently in the Existing and Proposed Elevations. Neither are correct. The Existing Elevations shows the gable for the southern and central sections, but not that for northern section. The drawing for the Proposed Elevations does show gables for all three sections of the building, but they are not shown correctly. The gables are shown as being essentially parallel whereas in practice they are far from being parallel, showing a distinct taper from the ridge to the eaves.
 - the roof of the existing single-storey rear extension exhibits a distinct change in angle towards the base, becoming essentially a flat roof. There is an attendant change in the roofing material at this point. In addition, there are two rooflights in the steeper part of the roof. None of these details are shown on either the Existing Elevations or Proposed Elevations, an omission compounded by the absence of an East Elevation.
 - also in relation to the North elevation, the adjoining barn is shown differently on the Existing and Proposed Elevations. In particular, the pitch of the roof is shown steeper on the Existing Elevation than the Proposed Elevation. Also, the small high-level window is correctly shown on the Existing Elevations but is entirely absent on the Proposed Elevations.
4. Where works to a Listed Building are proposed, it is imperative that the description of works and all associated drawings are precise, accurate and unambiguous to avoid doubt about what is proposed. The drawings submitted with this application cannot be relied upon as being accurate. These matters are highly undesirable in general terms, but even more so given the building's Grade II listed status, a designated heritage asset of national importance.
5. By way of example, the drawing for Proposed Elevations shows the roof of the proposed single storey garden room extension to the rear joining the southern section of the main building higher up than does the existing single-storey rear extension. There is an existing window in that position. In the absence of a drawing showing the East Elevation as proposed and/or a detailed drawing showing how that roof would sit in relation to the existing window, I am not able to discharge my statutory duty under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

² Both drawings are numbered A2.2, and therefore I have referred to them as Existing and Proposed Elevations respectively.

6. It follows that I am not in a position to grant Listed Building Consent or Planning Permission for this proposal for that reason alone. Nevertheless, the applications have been submitted and have been accepted by the Council as being valid. I will therefore determine the applications as far as I am able with the drawings that are available, which I am at least confident convey the general form and features of the proposal.

Main Issues

7. Crow Hill Cottage is a grade II listed building within the Worston Conservation Area. In determining these appeals, in accordance with sections 16(2), 66(1) and 72(1) of the Act I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and paid special attention to the desirability of preserving the character or appearance of the conservation area.
8. The main issues are whether the proposal would:
- preserve a Grade II listed building, and any of the features of special architectural or historic interest that it possesses
 - preserve or enhance the character or appearance of the Worston Conservation Area, and
 - in relation to Appeal A only, the effect on the character of the surrounding open countryside.

Reasons

Special interest and significance: listed building

9. The appeal property is a detached house possibly dating to the 17th and 18th Century, with an associated (former) barn. The listing description indicates that the building is finished in slobbered rubble with a stone slate roof, having three storeys with three eaves heights³. The listing description refers to the building having been altered. The southern section, which features a gable facing the road, is the tallest. The northern section, which as a modern conversion, is lower than the middle section. The building as a whole, particularly the historic sections, has relatively few window openings and therefore a high solid to void ratio.
10. The special interest and significance of the listed building, insofar as relevant to this proposal, are largely derived from it being a typical example of a house of the post-medieval period. The building has a plain and robust vernacular form and appearance, and was constructed using traditional techniques and materials. Both of these factors are commensurate with the post-medieval period and therefore contribute to the building's special interest and significance. The special interest and significance of the listed building also derives, in part, from the stepped roof form, which diminishes in height from the tallest (original) part of the house facing the road (south) to the rear (north). The residual elements of the gables of the front and middle sections are clearly visible from the rear of the property. These encapsulate the legibility of the building's evolution over time, with the subsequent alterations being respectful of the primacy of the building's historic core.

³ Statutory Address: Crow Hill Cottage List Entry Number: 1165628

11. The southern and central sections of the house contain some important external and internal fabric and features which may date from the 16th to 18th centuries⁴. The north section of the house is a modern addition constructed in or around 1987, distinguished by its rendered walls, and which was constructed in association with the conversion of the barn and the construction of the link between house and barn. The northern addition is subservient in size and position in relation to the more prominent historic components, and maintains the stepping down of the roof and the residual element of the gable of the section to which it is attached.
12. In addition, the northern section of the building has been extended to the rear at single storey level. This part of the building has several window and door openings, particularly the porch, and therefore exhibits a lower solid to void ratio than the remainder of the building. By reason of their scale and subservience, these later additions do not undermine the special interest and significance of this listed building.

Special interest and significance: conservation area

13. The special interest and significance of the Worston Conservation Area as a whole derives largely from the high quality of the buildings than line the road that runs through the village. The principal building type is housing with some buildings in other uses or, in some cases, showing clear evidence of the former use of the building. The variety of the design and style of these buildings, together with their quality and the use of common materials, forms an important element of the character and appearance of the conservation area.
14. Insofar as relevant to this appeal, the listed building is unique within the village and represents an early form of the residential architecture from which the special interest of the Worston Conservation Area is in part derived. The use of materials common throughout the conservation area, in terms of the stone/slate roof, enhances the contribution made by the building to the character and appearance of the conservation area, and therefore its significance as a whole.

Effects of the works: listed building

15. Paragraph 199 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. The paragraph goes on to explain that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
16. The appellant explains that the extension has been designed to provide a modern distinct appearance using quality materials and repeating the 'descending' gable features of the building. The appellant therefore considers that the proposal will provide a space which complements the heritage of the house rather than attempting a pastiche style which, in his view, would only add a further solid mass and offer no distinct evolution of the house.

⁴ Heritage Statement submitted with applications. I note that the dates given there are earlier than those in the listing description.

17. The proposed single storey garden room extension would add a further projection to the rear elevation. The garden room extension would be predominantly glazed and would feature a gable facing to the north. From the public footpath that runs to the rear of the property, it would therefore be viewed in the same context as the gable ends of the stepped roof form of the main building. The gable to the single storey garden room extension would be offset in relation to the gable of the northern section of the main building as well as to the residual elements of the gables of the front and middle sections of the building.
18. The northern section of the building is of modern construction but retains the same basic relationship with the adjoining section as does the central section, such that the overall composition of the building is preserved and is still legible. By reason of its design and offset position in relation to the gable ends of the main building, including the distinct descending series of historic and modern gable roofs, the single storey garden room extension would appear as discordant and incongruous addition the building.
19. Consequently, rather than repeating the 'descending' gable features of the building, the proposal provides an isolated gable feature that deviates from that distinctive feature of the main building. The proposal would also represent another piecemeal and incremental addition to the property which, whilst subservient in dimensions and form, would further weaken and undermine the primacy of the historic core of the listed building. In that sense, the proposal detracts from the understanding of the evolution of the building, as well as from the overall composition of the building.
20. Furthermore, the extensively glazed gable is an overtly modern feature that fails to respect the solid to void ratio exhibited by the historic sections of the building. Whilst I recognise the appellant's intention is to provide an extension of modern distinct appearance, which in his view would of itself would represent an evolution of the building, the extensive use of glazing is fundamentally at odds with a building of this type from this period, in which openings would generally not be numerous. The robust vernacular nature of the building as a whole would therefore be weakened.
21. The same is also true, albeit to a lesser extent, of the enlargement of the window on north elevation and the additional windows in the existing kitchen area. I recognise that these windows would be in the modern section of the building and, as such, would not involve the loss of any of the historic fabric. Nevertheless, in the context of the building as a whole, the enlargement and/or addition of these windows would decrease the solid to void ratio. The provision of additional glazing/ window openings in this part of the building would not sit comfortably on or assimilate well with the listed building, and would therefore be incongruous in relation to the remainder of the building. That would be harmful to the special interest and significance of the listed building.
22. The appellant points out that these alterations are to the rear of the building. That is true, but in this case there is a public footpath the runs to the rear of the property. The proposal would be very evident in views from that public footpath. In any event, listed buildings are safeguarded for their inherent architectural and historic interest, which the proposal would harm.

Effects of the works: conservation area

23. The works proposed are highly visible from the public domain, specifically from the public footpath that runs to the rear of the building. The works cause intrinsic harm to a listed building of a type from which the special interest and significance of the Worston Conservation Area as a whole is derived, and which is a unique and early example in that conservation area. It follows that the proposal would fail to preserve or enhance the character or appearance of the conservation area as a whole.

Effect on the character of the surrounding open countryside

24. The site is within the open countryside adjoining the Forest of Bowland National Landscape (formerly AONB). The proposed works would be viewed in the context of the surrounding open countryside, including in views from the public footpath that runs to the rear of the building. However, given the scale of the works and their position on the host building, the works would not harm the open countryside or detract from the longer views towards the Forest of Bowland National Landscape. I therefore find no conflict with the development plan in this respect.

Conclusion on the effects of the works to the listed building and conservation area

25. I conclude that the works would fail to preserve a Grade II listed building and any features of special architectural or historic interest that it possesses, especially considering its distinctive and historic roof form, and would fail to preserve or enhance the character or appearance of the conservation area. On that basis, the proposal would fail to meet the requirements of sections 16(2), 66(1) and 72(1) of the Act. I give this harm considerable importance and weight in the planning balance. That harm would be intrinsic within the works and could not be overcome or mitigated through the imposition of conditions.
26. This harm would not result in a total loss of the significance of the listed building. As such, the harm would be less than substantial in terms of the Framework in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the asset's optimum viable use.
27. Given the extent and nature of the proposal, I consider that the harm to the significance of the Worston Conservation Area would be less than substantial in terms of the Framework. Nevertheless, this harm would carry considerable importance and weight.
28. The appellant explains that the house currently has no connection to the garden area. I am not convinced that is an entirely accurate statement: it appears to me that access to the garden is possible from the existing porch in the rear elevation of the building⁵. Nevertheless, I accept that the provision of the bi-fold doors in the proposed garden room would provide a better access to the garden and a better connection with that space. However, that would be a purely private benefit accruing only to the occupiers of the dwelling. It would not be a public benefit that could be weighed against the harm that I have identified above.

⁵ Existing Plan A1.3 and noted at the site visit

29. There would be some benefit to the local economy resulting from the construction phase. This would be public benefit, but in the wider context is likely to be minimal.
30. Moreover, there is no compelling evidence before me to suggest that the property would not be useable or viable as a dwelling or that its future would be at risk if the appeals were to fail and the proposal, as submitted, was not implemented. In these respects, the identified harm to the significance of the listed building has not been clearly and convincingly justified.
31. Overall, the weight that I ascribe to the public benefits that would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found.
32. I conclude that, on balance, the proposed works would fail to preserve the special historic interest of the Grade II listed building and the character or appearance of the Worston Conservation Area. This would fail to satisfy the requirements of the Act as well as conflicting with the provisions within the Framework, which seek to conserve and enhance the historic environment.
33. In addition, the proposed works would not meet Key Statement ENV5 and Policies DMG1 and DME4 of the Ribble Valley Core Strategy 2008-2028. Amongst other things, these policies state that there will be a presumption in favour of the conservation and enhancement of the significance of heritage assets.

Conclusion

34. For the above reasons, I conclude that the appeals should be dismissed.

Paul Freer
INSPECTOR