



Appeal Decisions

Site visit made on 13 February 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 20th March 2024

Appeal A: APP/W1850/W/23/3330403

The Cottage, From Chapel Lane to Finchers Corner Road, Cradley, Herefordshire WR13 5HZ

- 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 and Mrs Jones against the decision of Herefordshire Council.
 - The application Ref 222832, dated 22 August 2022, was refused by notice dated 21 July 2023.
 - The development proposed is 2 storey extension to side of existing dwelling along with replacement of an existing flat roof dormer with enlarged dormer with slate pitch roof.
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Appeal B: APP/W1850/Y/23/3330404

The Cottage, From Chapel Lane to Finchers Corner Road, Cradley, Herefordshire WR13 5HZ

- 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 and Mrs Jones against the decision of Herefordshire Council.
 - The application Ref 222833, dated 22 August 2022, was refused by notice dated 21 July 2023.
 - The works proposed are 2 storey extension to side of existing dwelling along with replacement of an existing flat roof dormer with enlarged dormer with slate pitch roof.
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Decision

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

Preliminary Matters

3. As the appeals relate to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The revised National Planning Policy Framework (the Framework) was published on 20 December 2023, after the appeal was made. The Framework is a material consideration in the determination of the appeals. However, the revisions are not directly relevant to the main issue in the appeal and I am therefore satisfied that the interests of the main parties would not be prejudiced by the changes.

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, "The Cottage" (Ref: 1177372) (the LB), and any of the features of special architectural or historic interest that it possesses.

Reasons

6. The LB is an early 18th century cottage. It is a timber-frame with plaster panels building, originally one storey and an attic, beneath a low pitched slate roof with gable ends and an external chimney stack. It was historically part of a small cluster of cottages each set within a long narrow field strip, indicative of agricultural workers cottages. The LB has been previously altered and extended, including an increase in the height of the south elevation eaves, replacement roof, late 20th century flat-roof dormer extension and single storey extension. Notwithstanding, the special interest of the LB, insofar as it relates to these appeals, is associated with its historic fabric and its modest form and construction as an early rural worker's dwelling in vernacular, traditional hardwood framing.
7. The two-storey side extension would have a considerably larger footprint than the existing modest single storey extension. It would be more or less flush with the front and rear elevations of the historic building. While its ridge would be set down from the ridge of the LB, nevertheless it would be a conspicuously bulky and disproportionately large addition to the LB. Moreover, its design, with extensive glazing and flat-roof dormer, would be poorly related to the small and irregular fenestration and simple roofscape of its host. The extensive timber cladding and modern mock-standing seam roof would not result in the appearance of a lower-status, subordinate extension. By virtue of its size, design and materials, the extension would be a dominant and incongruous feature that would erode the historic and architectural legibility of the LB.
8. The evidence suggests that the upper floor of the western bay of the LB, which would be extended, may be a later addition to the original dwelling. However, the heritage assessment acknowledges that the painted render at first floor level conceals the underlying fabric and prevents it from being precisely or reliably dated. There is little compelling evidence that the western bay was not part of the LB historically or that the two-storey extension would not result in a loss of historic fabric.
9. The replacement dormer would be substantially large, extending from the low single storey eaves of the rear elevation and finishing just beneath the ridge of the LB. It would be both taller and roughly twice as wide, and therefore markedly larger, than the existing dormer. There would be a conspicuous increase in the bulk of the roof and the dormer would obscure around half of the historic roof form. The two large gables, with relatively large modern windows, would further detract from the otherwise simple, steeply sloping and predominantly blank rear of the LB. By virtue of its overly large size and its design, the dormer would overwhelm and dominate the historic roof form.
10. The existing flat roof dormer is itself an incongruous modern feature that disrupts the historic roof form. However, in contrast to the proposal, it is relatively modest and considerably less obtrusive. As such, it does not provide a justification for the proposal.
11. The increase in the size of the dormer would result in a loss of roof fabric. I note that the roof of the LB was apparently replaced in the late 19th or early 20th century, having possibly been previously thatched or common peg tile. At least some of the roof timbers were apparently replaced at that time. Even so, I cannot be certain that there would be no loss of historic roof fabric.

12. The heritage assessment suggests that the LB was extended along the entire northern elevation at some point prior to 1904. However, the absence of former windows in the northern wall of the core building indicates that there would originally have been a single storey lean-to under a catslide roof along the northern side. There has been re-roofing and some rebuilding of the northern elevation of the lean-to structure, as evidenced by late 20th century brickwork. Even so, there is little evidence that the steeply-pitched roof form of the rear of the LB is not historically authentic. I accept that roof extensions may be characteristic of traditional properties elsewhere. Moreover, there may have been a historic eyebrow dormer prior to the raising of the south elevation of the LB. Nevertheless, there appears to be no historic precedent for a substantially large or flat-roof dormer extension in the roof pitch of this vernacular timber frame building. Therefore, I find that the proposal would not preserve the historic and architectural interest of the LB.
13. The plans state that all windows and internal/external doors throughout would be replaced to approved detail. In this regard, I note that the existing fenestration and the front door are modern rather than historic. Irrespective, specifications for the proposed windows and doors have not been provided to demonstrate that the special interest of the LB would be preserved.
14. The appellant has suggested that the proposal would not harm the listed building because it would not be widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
15. Given the above, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
16. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the scale and nature of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
17. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 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. The appellants are of the opinion that the proposal would be beneficial because it would improve the internal layout and liveability of the property and the enlarged dormer would be a visual enhancement compared to the flat roof dormer.
18. The increase in the size of the dwelling and the altered internal layout would be primarily a private benefit. Any visual enhancement attributable to the replacement of the flat roof dormer would be offset by the overly large scale and discordant character and appearance of the proposed dormer. Temporary economic benefits during construction would be a limited public benefit. These are not sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not

dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.

19. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 205 of the Framework and conflict with policies SS6, LD1 and LD4 of the Herefordshire Local Plan Core Strategy 2011-2031 Adopted October 2015 and Policy CNDP9 of the Cradley Parish Neighbourhood Development Plan 2011 to 2031. These policies seek, among other things, to ensure that proposals conserve and enhance assets that contribute to the county's distinctiveness, protecting heritage assets through sympathetic design that emphasizes original form and function, taking into account factors including scale, bulk and mass. As a result, the proposal would not be in accordance with the development plan.

Other Matters

20. I note the suggestion that the LB would be unlikely to meet current listing criteria. However, there is little compelling evidence that it would be delisted and the policies that protect listed buildings apply. Previous development in the setting of the LB does not provide a justification for the proposal.
21. The proposal would significantly increase the internal living space, including an additional en-suite bedroom, and it would reconfigure the layout. I accept this would be a significant benefit to the appellants and their family. However, there is little evidence that the property fails to provide a reasonable standard of living accommodation. The appellants' preference for a larger dwelling and altered layout carry little weight in favour of the scheme.
22. The Council advises that the removal of previous inappropriate alterations and extensions would be an enhancement if their replacement was better in keeping with the characteristics of the LB. In this regard, it suggests a more modest replacement extension, taking its architectural cues including fenestration from the LB, should be considered. Furthermore, it considers that the existing flat roof dormer could be redesigned without significantly raising the height of its roof or it could be removed entirely to reinstate the historic roof form. I acknowledge that the scheme has been amended following the earlier refusal (Refs: 212780/212781). Even so, there is little evidence that alternative solutions, such as could provide similar private benefits without the harm that I have found, have been explored and reasonably discounted.

Conclusion

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

Sarah Manchester

INSPECTOR