



Appeal Decision

Site visit made on 19 June 2024

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2024

Appeal Ref: APP/D3125/Y/23/3327670

Hollybank, Wootton, Woodstock, Oxfordshire OX20 1AE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs David Fairweather against the decision of West Oxfordshire District Council.
 - The application Ref is 23/00269/LBC.
 - The works proposed are single storey kitchen extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to works to a listed building. In this respect I have had special regard to the requirements of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposed works would preserve the Grade II listed building, Hollybank, or any features of special architectural or historic interest which it possesses.

Reasons

Special interest and significance

4. Hollybank is a Grade II listed building¹, built in 1862. It is finished in limestone with a gabled Welsh slate roof over and prominent stone chimney stacks. It is set within spacious, landscaped grounds together with a series of outbuildings and structures.
5. Despite the extension and alteration of the listed building and its plot over time, including in more recent times, the principal elevations have maintained an aesthetically pleasing architectural form and those alterations have not unduly eroded the listed building's overall intrinsic heritage merit.
6. Based on the evidence before me, I find that the listed building's special interest and significance is primarily associated with its architectural and historic interest. Important contributors in these regards, which are pertinent to the appeal, are the use of traditional construction techniques and materials, surviving historic fabric and the legibility of the historic core.

¹ List Entry Number: 1367977

Appeal proposal and effects

7. The proposal would primarily involve the demolition of the existing side porch structure and flat-roofed extension and their replacement with a larger contemporary extension.
8. Despite forming later additions, the simple form and detailing of the established extensions ensures that the most historic part of the building remains an intact, prominent and legible feature.
9. Whilst there is no objection to the principle of an extension to the property, mindful of the previous consent, the appeal scheme now proposed would further extend the footprint of the building to the west. Irrespective of its precise measurement, this would introduce a comparatively large addition, relative to the existing extensions and historic core. Although of a single-storey, the overall projection and arrangement of the proposal would begin to compete with the visual dominance of the main part of the building, impairing its historic legibility. In doing so, the proposed works would harmfully erode the historic and architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance.
10. That the proposed extension would be of a contemporary, lightweight and simplified design approach does not overcome this. The large areas of glazing proposed would compete with and distract from the more modest fenestration across the building, and its overall solidity.
11. I acknowledge that the proposed extension would be of a similar design to the approved pool house. However, this would not compensate for the identified harm or sufficiently justify the proposal.
12. I am also aware, as referenced above, that a previous consent exists at the site for an extension. Nevertheless, that previous extension was of a shorter overall projection and of a less harmful design. In this respect, I attach little weight to the permitted scheme as a fallback position.
13. Whilst the appellant alleges that there would be no harm to the building's historic fabric, no substantive information is before me detailing the removal of the existing extensions or fabric from the historic core and what repairs may be necessary. Even were these matters to be found acceptable, they would not outweigh or overcome the harm identified above.
14. Overall, I conclude that the proposed works would fail to preserve the Grade II listed building, Hollybank, or any features of special architectural or historic interest which it possesses, contrary to the requirements of section 16(2) of the Act. Consequently, the proposals would harm the significance of this designated heritage asset.

Public benefit and balance

15. Paragraph 205 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.

16. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the extent of the works relative to the listed building, I find the harm to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the development, which includes securing the asset's optimum viable use.
17. Economic benefits would be brought about through the construction phase and the general investment into the property. However, the scale of those benefits is short-term and very limited by the extent and nature of the proposal. The primary outcomes of the proposed works, namely the increase to living accommodation and the obtaining of views of the surroundings, would be private benefits to the appellant that do not provide clear and convincing justification for allowing the appeal.
18. Conservation is an active process of managing change to heritage assets in ways that sustain, reveal or reinforce their heritage interests. I am not persuaded that the scheme before me is fundamentally necessary to secure the optimum viable use of the building, which provides generous levels of accommodation. Moreover, no substantive evidence has been put before me which verifies that the property would not be useable or viable as a dwelling now or in the future, or that its conservation as a designated heritage asset would be at risk, if the appeal was to fail and the proposal, as submitted, was not implemented.
19. I accept that the removal of the existing flat-roofed extension could be argued to sustain and enhance the significance of the listed building. Nevertheless, its replacement with an inappropriate extension, as proposed, would override any public benefit gained from its removal. In respect of the preservation of the historic fabric of the kitchen, as set out by the appellant, this is not entirely dependent on the scheme before me.
20. 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. Accordingly, the proposed works would fail to preserve the Grade II listed building, Hollybank, or any features of special architectural or historic interest which it possesses, contrary to the requirements of section 16(2) of the Act. This is in a similar vein to the objectives of the Framework, insofar as the protection of heritage assets is concerned. There are no planning policies before me which conflict with these objectives.

Other Matters

21. The appeal property is also located within the Wootton Conservation Area (the CA). In line with section 72(1) of the Act, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA. Bearing in mind the position, nature and extent of the proposals, I consider that they would have a neutral effect on, and would therefore preserve, the character and appearance of the CA as a whole. As such, the proposal would not harm the significance of this designated heritage asset. I note that the Council had no concerns in these respects either. Nevertheless, the lack of

harm in this respect does not weigh for or against the appeal and does not alter my conclusion on the main issue.

22. That there are no objections is neutral in my determination of the appeal.

23. My attention is also drawn to an approved scheme at Wootton Place. That scheme involved an extension of a contemporary design. However, I have no substantive evidence before me to draw comparisons between that scheme and the appeal proposal before me, including the planning balance there. In any case, the schemes are situated on different sites and the heritage assets are not identical. I have considered this appeal on its own merits.

Conclusion

24. I have identified that the proposed works would be contrary to the requirements of section 16(2) of the Act and the relevant provisions within the Framework which seek to conserve and enhance the historic environment. Accordingly, I conclude that the appeal should be dismissed.

A Price

INSPECTOR