



Appeal Decisions

Site visit made on 20 May 2024

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2024

Appeal A Ref: APP/P0119/W/23/3326390

Plough Inn, 3 Quaker Lane, Thornbury BS35 2AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Tariq Naeem against the decision of South Gloucestershire Council.
 - The application Ref is P23/01368/F.
 - The development proposed is the construction of a second and third story to form a self-contained maisonette.
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Appeal B Ref: APP/P0119/Y/23/3332836

Plough Inn, 3 Quaker Lane, Thornbury BS35 2AD

- 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 Tariq Naeem against the decision of South Gloucestershire Council.
 - The application Ref is P23/01361/LB.
 - The works proposed are the construction of a second and third storey side extension to form a self-contained maisonette.
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Decision - Appeal A

1. The appeal is dismissed.

Decision - Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeal site address for both appeals is the Plough Inn, 3 Quakers Lane. However, the listing description (list entry number 1136933) gives the address as the Plough Inn, 3 St Marys Street. Despite the difference in the street name, I am satisfied that the listing entry relates to the building at the appeal site.

Main Issues

4. The two appeals concern the same scheme under different, complementary legislation. I have, therefore, considered both schemes together, identifying the main issues in both to be whether or not the proposal would:
 - i) preserve the Grade II listed building or any features of special architectural or historic interest which it possesses, and

- ii) preserve or enhance the character or appearance of the Thornbury Conservation Area.

- 5. In addition, a further main issue for Appeal A is the effect of the development on the living conditions of its occupiers, having regard to private amenity space provision.

Reasons

- 6. The appeal site is occupied by a two storey building facing the highway along Quaker Lane; the building includes single storey elements to the side and rear. Also to the rear of the building is a range of outbuildings along the southernmost boundary of the site. These face into the enclosed yard area to the rear, which can be accessed via St John Street.
- 7. The second and third storey side extension proposed would be constructed above the existing single storey element facing Quaker Lane.

Heritage

Special interest and significance

- 8. The building occupying the appeal site is Grade II listed, the special interest and significance of which is largely derived from its historic and architectural interest. The heritage asset is a vernacular mid-late 18th century building with associated subordinate outbuildings. Its former use as a public house and the legibility of its historic layout and internal plan form are contributors to its historic interest. The building's architectural interest comes from its modest form and design, use of traditional construction techniques and materials, and the surviving historic fabric.
- 9. The principal element of the building is clearly the two storey portion that fronts Quaker Lane. It has a simple design with an off centre main entrance providing access directly from the footway along Quaker Lane. The three ground floor window openings are generally in line with those at first floor, although the ground floor left hand window is notably larger in width than the others. Although most external elevations of this two storey element are rendered, a section of irregular stone walling is revealed at ground and first floor on the front and side elevation (on the right hand side of the building). This reveal of the historic fabric of the building adds interest to the external façade facing Quaker Lane.
- 10. The two storey element has a centrally ridged, pantile roof, the side profile of which is best appreciated in views of the building from Quaker Lane, from the north. From this vantage point the slight bow in the roof slopes are visible, which is a feature that adds to the authenticity of this main section of the building. Although views of the south facing elevation are obscured slightly by the attached modern development at Quaker Court, this adjoining development is set back from the front elevation of the appeal building, following the curve of the road. As such, the main two storey element of the appeal building sits prominently within the row of buildings along Quaker Lane. The chimney stacks at either end of the two storey section add to its prominence.
- 11. The single storey element to the left of the main section of the building continues the front elevation of the building in a rendered finish. It appears to feature a parapet detail at eaves level, behind which is a flat roof. The window

openings have a size and position that is reflective of those at ground floor level facing Quaker Lane. Although the current single storey element appears to have a more modern form, its low profile and simple appearance do not detract from the prominence of the main two storey element. Indeed, the single storey element assists in separating the main, two storey section of the building from the property at 1 Quaker Lane, allowing for the appreciation of the design and form of the principal part of the historic building.

12. There is an eclectic mix of development to the rear of the main section of the building, some of which is clearly more modern. However, the organic evolution of the building can be easily read. This development is generally low profile, single storey, which means that the form of the building, in particular the roof form and prominence of the two storey element, can still be appreciated when viewed from the rear, from St John Street.
13. The appeal site also sits within the Thornbury Conservation Area (TCA), and is close to its centre. Although it sits behind the main high street, the historic use of the building as a public house demonstrates a connection to the commercial core of the market town. Whilst there is a more modern pedestrian shopping area to the south, the street pattern adjoining the appeal site is clearly historic. This demonstrates variety in street widths and a sense of enclosure in some parts, with narrow pavements and building lines close to or adjacent to the highway. This speaks to the historic evolution of the town.
14. The building sits within a row of properties that demonstrate variety in their design and form. This variety is typical of that found in nearby streets, including that within the historic High Street, which I can see is occupied by a substantial number of listed buildings.
15. The variety in the design and form of buildings, together with the varied street pattern, which includes Quaker Lane to the rear of the high street, underpins the TCA's local distinctiveness. The building occupying the appeal site and the surrounding area demonstrate the positive qualities that contribute to the character and appearance of the TCA as a whole and, therefore, to its significance as a designated heritage asset.

The effect of the proposal

16. Paragraph 205 of the National Planning Policy Framework (the Framework) informs 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 say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
17. The scheme proposes the addition of a first floor and pitched roof above the existing single storey side element. This addition would continue the front and rear elevation of the existing two storey section across the new first floor addition. The scheme would also continue the centrally ridged roof in line with the existing roof profile. The proposal would, therefore, introduce substantial built form that would alter the subservient nature of the single storey side element.

18. I acknowledge that an effort has been made to match the height and form of the existing two storey element and it may well be the case that the single storey flat roof element is of little interest. However, the scheme would fundamentally undermine the prominence of the principle two storey part of the listed building. The existing legibility of this part of the building would be lost. For this reason alone, the scheme would not preserve the listed building and thereby harm its significance as a designated heritage asset.
19. Whilst the appellant suggests that the development and works would enhance the symmetry of the host building, I cannot read the plans (the plans of the front elevation in particular) as achieving this aim. The entrance doorway would not be central within the front façade, and the new first floor window would appear ad hoc in its position. Notwithstanding this, the historic building does not demonstrate a symmetrical design. The attempt to introduce an element of symmetry with the proposed scheme would not, therefore, be authentic and would fail to be sympathetic to the building's historic design.
20. In addition to the above, the scheme would include accommodation in the existing roof space in part of the two storey element of the historic building. To achieve this, an entrance doorway on the existing side gable of the building and a new dormer window in the rear roof slope is proposed. I have no evidence before me as to the age, merit or extent of the fabric that would be lost in implementing this part of the proposal, or how the remaining fabric would be reinforced or supported in order to accommodate the new openings. This is a deficiency of the applications and appeals that restricts a meaningful assessment of the effect of the proposal. The appellant suggests a condition could be imposed to require the submission of further details. However, these details are fundamental in understanding whether or not this part of the scheme would preserve the special interest and not harm the significance of this listed building. It would not be acceptable to leave such matters to condition.
21. Similarly, the rear access to the new accommodation would necessitate the further loss of historic fabric, including part of the roof of the single storey lean-to, to the rear of the existing single storey flat roof element. Whilst this rear lean-to may be a later addition to the building, part of its roof would be lost to accommodate the first floor walkway from the entrance doorway to the proposed accommodation to the external staircase. I acknowledge that the external staircase would be added to the more modern flat roof addition to the rear. Nevertheless, the first floor entrance, walkway and external staircase would be a new and prominent feature on this façade of the building, and would detract from the existing composition of the historic built development at the rear. Furthermore, insufficient details have been provided to demonstrate how the existing lean-to would be altered as proposed and tied in to the rear elevation of the new enlargement, such that I can be satisfied that this element of the proposal would not cause harm.
22. The public house use of the building and, therefore, its historic association with the commercial high street of the market town has already been affected. I also acknowledge that the proposal would have a neutral effect on the street pattern and sense of enclosure along Quaker Lane. However, the scheme would have an adverse effect on the prominence of the listed building within the townscape and it would also result in the loss of variety in the design and form of buildings along Quaker Lane. For this reason, the development and

works would diminish the positive contribution the existing building makes to the special interest of the TCA and would not preserve the character or appearance of this designated heritage asset.

23. All things considered, I conclude that the proposal would not preserve the Grade II listed building, nor any features of special architectural or historic interest which it possesses. The proposal would also fail to preserve or enhance the character or appearance of the TCA. I conclude as such, having regard to the requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the 1990 Act). Accordingly, the proposal would cause harm to the significance of the designated heritage assets.

Public benefits and heritage balance

24. Due to the nature and extent of the proposal, I find the harm caused to the heritage assets would be less than substantial. In these circumstances, paragraph 208 of the Framework informs that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
25. I acknowledge the public benefit that would result from the provision of an additional unit of accommodation in a central location within the town. Along with that would be the social and economic benefit that would result from the construction phase of the proposal. It is also likely that future occupiers of the accommodation would support local services and facilities, contributing to the vitality and viability of the town and its community. These public benefits are, however, of limited weight, in view of the scale of the development and works proposed, and that only a single unit of accommodation would result from the scheme.
26. Whilst I am mindful that securing the listed building's optimum viable use should weigh in the balance, I have been given no reason to conclude that the existing use of the heritage asset would not continue, should the appeals fail. After all, the new residential unit would be accommodated almost entirely within the new enlargement, leaving the use of the vast majority of the existing heritage asset unaltered.
27. All of the above considered, I cannot be satisfied that any clear and convincing justification exists for the identified harm to the significance of the designated heritage assets in this case. The Framework makes clear in paragraph 205 that great weight should be given to the conservation of a heritage asset. The public benefits I have identified are not sufficient to outweigh the harm that would occur to the Grade II listed building and the TCA.
28. For the above reasons, the proposal would conflict with Policy CS9 (Managing the environment and heritage) of the South Gloucestershire Local Plan Core Strategy 2006 - 2027 (SGCS), as well as Policy PSP17 (Heritage assets and the historic environment) of the South Gloucestershire Local Plan Policies Sites and Places Plan, Adopted November 2017 (SGPSPP). These Policies require, amongst other matters, that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance.

29. Furthermore, as the form, scale and detailing of the scheme would fail to respect and enhance the character and distinctiveness of the site and its context, the proposal would accord with neither Policy CS1 (High quality design) of the SGCS, nor Policy PSP1 (Local distinctiveness) of the SGPSPP.

Living Conditions

30. Policy PSP43 (Private amenity space standards) of the SGPSPP informs that all new residential units will be expected to have access to private amenity space. In the case of a 2 bedroom flat, the requirement is for at least 5 square metres of private shared communal space.
31. Whilst the plans submitted with the planning application subject of Appeal A show some parking provision, no private shared communal space is identified within the site to serve the development proposed. Whilst the space adjacent to the parking provision might well be suitable for bike and bin storage, this would not provide appropriate space for occupiers of the accommodation to relax, play and socialise.
32. I can only agree with the supporting text of Policy PSP43, which informs that outdoor space for such activities can add significantly to the quality of life of residents of all ages. For this reason, I find the lack of identified and appropriate private outdoor space, in accordance with Policy PSP43, would cause significant harm to the living conditions of the future occupiers of the development proposed.

Other Matters

33. The plan provided to show the boundary of the TCA indicates that the appeal site is in close proximity to a number of other listed buildings, including those along St John Street to the rear, and at the junction of The Plain and Gloucester Road with Quaker Lane. From the information before me the special interest and significance of these assets primarily stem from their historic and/or architectural interests. However, they are also derived from their historic townscape settings of which the appeal property forms part.
34. Having regard to the location and extent of the proposed development and works in relation to these other listed buildings, I consider that the settings of these designated heritage assets would be preserved and the contribution they make to the significance of these assets would not be harmed. I conclude as such, having regard to section 66(1) of the 1990 Act and the sections of the Framework regarding the conservation and enhancement of the historic environment. In view of my conclusion above, I find no conflict with Policy CS9 of the SGCS or Policy PSP17 of the SGPSPP. Furthermore, I note that the Council has raised no concerns in this regard.
35. My attention has been drawn to development on Quaker Lane, opposite the appeal site. However, I have little detail of the development in question, sufficient for me to make an informed comparison with the scheme that is the subject of these appeals. Furthermore, the buildings opposite the site have a very different character and composition to that subject of these appeals. For these reasons, any development permitted opposite the site would not justify the development and works proposed in this case. I have identified harm in respect of the development and works proposed, having considered the particular circumstances of the case before me.

36. I have noted the lack of any objection to the proposed scheme from the Thornbury Town Council. I also acknowledge that the proposal would not result in any adverse effects as a result of overshadowing or overlooking. However, these matters have a neutral effect in the planning balance.

37. I have had regard to other matters raised, including parking, as well as noise and disturbance. As I am dismissing the appeals on the main issues for the reasons given, I have not addressed these other matters further.

Overall Planning Balance and Conclusion - Appeal A

38. I conclude that the development would conflict with the development plan, when read as a whole. Whilst I have had regard to the benefits of the scheme, I have not identified any material considerations of sufficient weight to indicate that my determination of Appeal A should be made otherwise than in accordance with the development plan. Accordingly, for the reasons given, I conclude that Appeal A should be dismissed.

Conclusion - Appeal B

39. For the reasons given, I conclude that Appeal B should be dismissed.

J Moss

INSPECTOR