



Appeal Decision

Site visit made on 9 July 2024

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 10 September 2024

Appeal Ref: APP/K3415/Y/23/3332800

10 Bore Street, Lichfield, Staffordshire, WS13 6LL

- 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 Gary Fieldhouse against the decision of Lichfield District Council.
 - The application Ref is 23/00697/LBC.
 - The works proposed are the conversion of the existing office building back into 4 No. one bedroom apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The ground floor front window has recently been replaced with a tripartite, one over one, sash window and so is not the one shown on the submitted plan of the front elevation of the building. This work did not form part of the application for listed building consent and is therefore not a matter that I have considered as part of this appeal.
3. A draft section 106 agreement has been submitted. It seeks to secure financial contributions towards expanding or improving local services and facilities in order to mitigate the impact of four additional flats. However, as the appeal only relates to refusal of consent to carry out work to a listed building, the effect of the proposed residential conversion on local services is not a consideration that is relevant to the appeal. In the determination of the appeal I have therefore not taken this issue and the submitted agreement into account.

Main Issue

4. The main issue in this appeal is whether the proposal would preserve the Grade II listed building, 10 Bore Street, or any features of special architectural or historic interest which it possesses.

Reasons

5. The National Planning Policy Framework ('the Framework') identifies at paragraph 195 that heritage assets are an irreplaceable resource. Paragraph 205 of the Framework advises that when considering the impact of a proposal on the significance of a designated heritage asset, such as a listed building, great weight should be given to the asset's conservation.

Special interest and significance

6. In considering whether to grant listed building consent for any works, the statutory requirement is that special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
7. 10 Bore Street (List Entry No: 1298564) is a four storey brick building located in the centre of Lichfield within Lichfield City Conservation Area (CA). It forms a part of a terrace of older and historic buildings of different heights set on the back edge of the pavement along the southern side of the street.
8. The statutory list description identifies that the appeal building as a house, now offices dating from circa 1790. The original use of the building as a Georgian dwelling is illustrated by its two room depth, with rooms opening onto a rooflight lit central staircase that is orientated parallel to the front elevation. The layout of the building has been altered through the subdivision of rooms and space on the upper floors to create individual offices. This is most marked on the first floor where toilets and a kitchen area have also been created.
9. The description of the proposed works state that it would result in the building being converted back into four, one bedroom apartments. However, no substantive evidence has been provided to demonstrate that the building was previously in use as four flats.
10. Surviving external architectural features and historic fabric include the panelled front entrance door framed by a corniced door surround, six over six recessed sash windows, Flemish bond brickwork and pattress plates. Internally, there are a number of four panel doors, as well as the staircase from the ground to second floor and staircase from the second to the third floor, which appear to be in their original position. The design and detailing of these internal features indicate that they are likely to be contemporary with the building. The surviving historical architectural features, form, layout and circulation routes add to the understanding of the original function of the building as a Georgian house.
11. On the basis of what I have read and seen, insofar as is relevant to the proposed works, the special interest and significance of the building is mainly due to its polite, well-proportioned Georgian style of residential urban architecture, its authenticity both externally and internally, and its association with Lichfield's Georgian heyday when it was a place of polite society. The building's internal layout and circulation routes contributes to this significance.

Appeal proposal and effects

12. In order to create self-contained one bedroom flats on each storey of the building, existing doorways on every floor would be closed up and rearranged. This includes the doorway to the rear ground floor room which appears to be in its original position. The work would also involve the removal of what is most likely to be an original ground floor internal wall that forms a corridor to the back door. This corridor is important as it allows views of the full length of the building from the front entrance door which provides an immediate impression of the scale of the building upon entering.
13. On the ground floor, the cellar is accessed by way of a low door beneath the staircase half landing. As noted in the Heritage Statement, the cellar appears to be older than the building above. As part of the proposed works a corridor

would be created beneath the staircase to link the front and rear room to create the proposed ground floor flat. In so doing it appears that the existing cellar doorway would be sealed and steps down to the cellar would be covered over. The conversion works would also involve the removal of the existing historic staircase from the second floor to the third floor and its replacement with a new staircase which would be located in the middle of the third floor, rather than to the one side. These changes would compromise the legibility of the building and the integrity of its origins as a single Georgian townhouse. It would also result in the material loss of historic fabric.

14. For nominal gain in term of floor area, the ground floor rear wall of the building at ground floor area would be removed and a full width extension approximately 900mm in depth erected. The appellants state that this extension could be deleted. However, even if this did occur, the proposal's impact on the historic features, plan form and integrity would be such as to cause material harm to the significance of this Grade II listed building.
15. The proposed work would result in the loss of material amounts of the fabric of the building and would fundamentally alter its internal layout to the extent that some of its important features would no longer be readily legible.

Other matters

16. The appeal property is located within Lichfield City Conservation Area (CA). The Council is silent on the effect of the proposed works on the CA. However, by virtue of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) I am required to consider the impact that the proposal would have on the CA.
17. The CA covers the city centre and its environs that contain well designed and older and historic buildings. Its significance therefore is architectural and historical. As the proposed works would result in the building returning to a residential use, albeit not as a single dwelling, it would be in keeping with the historic character of No 10 and a number of other similar buildings along the street that appear to have originally been constructed as dwellings. In terms of appearance, the ground floor rear extension would be modest and would not be a prominent feature. As a result, I find that the proposal overall would slightly enhance the CA as a whole.

Public benefits and balance

18. Given the nature and scale of the impact of the proposed works and development on the listed building, the harm to its significance as a designated heritage asset would be less than substantial. The slight enhancement of the CA that would occur is insufficient to negate this finding. Paragraph 206 of the Framework requires clear and convincing justification for any harm to the significance of a designated heritage asset. Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
19. In accordance with the statutory duty, I attach considerable importance and weight to the harm that would be caused by the proposed works to this listed building. There would be social benefits associated with the delivery of four residential apartments, which would make a small but beneficial contribution to the housing supply and to the choice of homes in the District. Environmentally,

the building has easy access on foot to a range of services, facilities and public transport options. Economically, there would be benefits associated with the construction phase and from the spend locally of future occupiers of the proposed dwellings.

20. However, it has not been demonstrated that the sub-division of the building into four apartments is the only and most sensitive way of ensuring the conservation and use of the building. Therefore, the benefits of bringing the whole of the building into an active use as apartments would come at considerable cost in failing to preserve the Grade II listed building.
21. Taking all these matters into account, my overall conclusion is that the public benefits of the proposal do not outweigh the considerable importance and weight that I attach to the harm I have found.
22. Accordingly, the proposal would not preserve the Grade II listed building, 10 Bore Street, or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) and 66(1) of the Act. Conflict would also occur with Policy BE1, Policy BE2 and Core Policy 14 of the Lichfield District Local Plan Strategy 2015 and the provisions within the Framework which seek to conserve and enhance the historic environment.

Conclusion

23. For the reasons given above, I conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector