



Appeal Decision

Site visit made on 21 May 2025

by **P N Jarratt BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3 June 2025

Appeal Ref: APP/C1625/F/25/3361472

Old Post Office, The Green, Frampton on Severn, Gloucestershire, GL2 7EY

- The appeal is made under section 39 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr and Mrs C McDonald against a listed building enforcement notice issued by Stroud District Council.
- The enforcement notice was issued on 24 January 2025.
- The contravention of listed building control as alleged in the notice is that the extension is not built in accordance with the approved Listed Building Consent S.21/1931/LBC.
- The requirements of the notice are
 - i) Reinstate the original external rear wall and the internal wall that divided the kitchen and dining area prior to the unauthorised works to accord with plan P003 REV B. This should be completed using brick with a render finish, except where the reinstated wall faces the new extension which should be exposed brick. The brick should match the original brickwork.
 - ii) Externally, alter the appearance of the extension so that it conforms with plans P006 and P007 of the listed building consent S.21/1931/LBC. For the avoidance of doubt this shall include altering the footprint to chamfer the north-east elevation as shown on plan P002.
- The period for compliance with the steps is nine months.
- The appeal is made on the grounds set out in section 39(1) (e), (h) and (j) of the Planning (Listed Building and Conservation Areas) Act 1990 as amended.

Decision

1. It is directed that the listed building enforcement notice be corrected by the deletion of the word “original” in the first and last sentences in requirement (i) and their replacement with the word “earlier.” Subject to the correction the appeal is allowed and the listed building enforcement notice is quashed. Listed building consent is granted for the retention of the rear extension at the Old Post Office, The Green, Frampton on Severn, Gloucestershire, GL2 7EY.

Preliminary Matters

2. The enforcement notice served on 16 January 2025 was withdrawn due to errors and replaced with a new notice dated 24 January 2025 which is the subject of this appeal.
3. The development is a listed building in a conservation area. Section 16(2) imposes a duty to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

4. The National Planning Policy Framework (NPPF) indicates that when considering the impact of development on the significance of heritage assets, great weight should be placed to the asset's conservation.
5. Policy ES10 of the Stroud Local Plan 2015 seeks to preserve, protect and enhance the District's historic environment.

The site and relevant planning history

6. The appeal site is located at the northern end of The Green, within the settlement of Frampton on Severn and comprises an attached Grade II listed house, constructed of local brick with a plain clay tile roof. The house is set back from the road frontage and is situated in the Frampton on Severn Conservation Area which is characterised by The Green and the disposition within it of its vernacular buildings.
7. The Old Post Office is a sub-division of the late C18th Greenside House into two parts, Northend House and The Old Post Office, which occurred sometime between 1840 - 1880.
8. Access to the side and rear of the appeal property is shared. A few metres to the rear of the building is a modest dwelling with little privacy between the rear windows of the extension and the habitable room windows of this dwelling. There are flat and pitched roof rear extensions to adjoining properties together with a path leading to the detached garden of The Old Post Office.
9. Planning permission and listed building consent (S.21/1931/LBC) were granted in 2021 for a rear single storey addition to an existing extension following negotiations on the design. The extension was not built in accordance with the LBC.
10. Following the issuing of the enforcement notice, the appellants submitted applications for planning and listed building consent for an alternative scheme essentially to regularise the as-built scheme with amendments. These applications have yet to be determined.

The appeal on ground (e)

11. An appeal on this ground is that listed building consent ought to be granted for the works.
12. The 2021 LBC is for an addition of a single storey rear extension of a design which is considered by the Council to represent a contemporary lightweight addition with a chamfered roof, low matching brickwork and large glazed aluminium windows. The unauthorised works which are the subject of this notice, introduced a rectangular addition of different size and floorplan, the replacement of the large windows with three timber sash windows, alterations to the roof and the installation of a roof lantern, the reconfiguration of openings and the removal of an internal wall.
13. In the reasons for issuing the notice the Council refer to the building as a high status vernacular building with an early single storey rear addition. The appellants state that it is a C20th addition of between 1930-1960 which replaced an earlier structure added between 1880-1903 although older timbers were reused in the later addition. It has a different floor plan to the earlier addition and has cavity walls formed in part of concrete blockwork.

14. The unauthorised works in the notice also refer to the removal of the original rear wall. Whilst the Council now acknowledges that the original rear extension is modern, contrary to what is stated in the notice, the Council has not sought to amend the requirements of the notice to correct this error. However I have the power to correct the notice so long as I am satisfied that there would be no injustice to the parties. I have therefore corrected the notice accordingly.
15. The Council nevertheless considers this wall to form part and parcel of the readable evolution of the listed building. Whilst this may well be the case, the Council attaches a degree of weight greater than can be justified in the light of the facts relating to an accurate historic understanding and analysis of the building provided in the appellants' detailed Heritage Statement. Additionally, there appears to be undue weight attached to the fact that the appellants have carried out work contrary to the original LBC. While I do not condone the carrying out of unauthorised works, I note that the appellants have subsequently attempted to regularise the position. A situation where what has been built does not conform to what has been approved does not necessarily make it unacceptable in terms of the preservation of the heritage asset.
16. The removal of the internal wall between the kitchen and dining area and the creation of a utility room and WC have had minimal impact on the special interest of the listed building. A retained nib of wall indicates the position of the former dividing wall.
17. Externally, a timber window has been inserted on the side elevation of the earlier extension, in place of the approved doorway, which is now located on the side on the new addition. The addition to the earlier extension is rectangular in shape and some 0.2sqm smaller in footprint and 200mm further from the dwelling to the north-east. The chamfer that had been designed into the approved scheme to reflect an existing chamfer to the corner of the earlier extension is of little significance in the context of the special interest of the listed building and its introduction into the consented scheme appears to have little design benefit.
18. Although the Council consider that the large picture windows in the consented scheme help to identify the extension as a contemporary addition, it does not follow that other styles of fenestration would be harmful. Indeed, the three traditional style oak sash windows that have been installed provide a respectful formality to the rear elevation that is not necessarily out of place albeit that I accept that they do not emulate the finesse of historic windows. Nevertheless, when viewed in the context of the extension as a whole they can clearly be distinguished from the original parts of the listed building.
19. The consented scheme shows four rooflights but only two rooflights set flush with the roof have been installed, together with a single apex roof lantern. The rooflights cause no harm to the listed building but the roof lantern introduces a significant change to the appearance of the otherwise simple utilitarian design of the flat roof, through its visibility. Again, this is not a harmful addition, nor is it conspicuously obtrusive, but it is modest in scale and is legible as a modern addition. Similarly, the treatment of the soffit is not of significance.
20. The appellants state that the variations to the consented scheme have arisen due to inherent practical problems. The as-built scheme retains the single pitch roof line to the C20th extension and earlier roof timbers; a shared drain led to a rectangular

floorplan; there was a need for a more efficient internal layout and daylighting; and ventilation to the WC was necessary. Whilst these may be the reasons for the variations, breaching the consented scheme to such an extent undermines the confidence that the community places on the established procedures for the protection of our shared built heritage.

21. Nevertheless, the works subject to the notice, whether considered individually or collectively, do not have any impact on the original part of The Old Post Office which retains the architectural and historic interest of the property. Nor do these works impact on its significance as a listed building whether it is of high status as considered by the Council, or of a more modest status as assessed by the appellants.
22. As the works are to the rear of a substantial building the new extension is not prominent and has little additional visibility than the consented scheme would have had when viewed from the main road. When viewed from the rear access, the extension is seen as a lesser status addition to the original building. When considered in the context of its neighbours, this is emphasised by the recently constructed single-storey flat-roofed extension of similar size at the adjoining property at Northend House and by the overall appearance of the rear elevations of the dwellings at Wayside and Greenways. Taking account of these factors, the extension has no harmful impact on the setting of the listed building or on the character or appearance of the conservation area.
23. In summary, the works are in accordance with the NPPF and with the relevant policies of the local plan. The Council has suggested a condition requiring the appellants to submit details of the window frames and casements for written agreement. However, such a condition is unnecessary as the design, colour and materials of the windows as installed are acceptable in this location.

Conclusion

24. For the reasons given above I conclude that the appeal should succeed on ground (e). The appeal under grounds (h) and (j) as set out in section 39(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) do not fall to be considered.

P N Jarratt

INSPECTOR