

## Appeal Decisions

Site visit made on 16 May 2016

**by Jennifer Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 08 June 2016**

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**Appeal Ref: APP/R3325/W/15/3141537**

**Barn Cottage, East Street, Chiselborough, Stoke-sub-Hamdon, Somerset TA14 6TW**

- 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 Jon Provis against the decision of South Somerset District Council.
  - The application Ref 15/04104/FUL, dated 3 September 2015, was refused by notice dated 12 November 2015.
  - The development proposed is replacement of 2 dormer windows, 1 front window and 1 front door.
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**Appeal Ref: APP/R3325/Y/15/3141539**

**Barn Cottage, East Street, Chiselborough, Stoke-sub-Hamdon, Somerset TA14 6TW**

- 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 Jon Provis against the decision of South Somerset District Council.
  - The application Ref 15/04105/LBC, dated 3 September 2015, was refused by notice dated 12 November 2015.
  - The works proposed are replacement of 2 dormer windows, 1 front window and 1 front door.
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### Decision

1. The appeals are dismissed.

### Main Issues

2. The main issues in respect of both appeals are (i) whether the proposals would preserve the listed building known as Barn Cottage (listed as Strapp Farmhouse) or its setting or any features of special architectural or historic interest it possesses; and (ii) whether the proposal would preserve or enhance the character or appearance of the Chiselborough Conservation Area.

### Reasons

*Whether the proposal would preserve the listed building and its setting.*

3. The farmhouse was first listed in 1961 and includes a reference to group value. The listing describes the five bay building, which is now Strapp Farmhouse and Granary Cottage, as dating from the 17C and 18C and having been much
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modified. The appellant refers to Barn Cottage as being listed 'by association'. The Council consider the property to be a listed building and an application for listed building consent has been submitted and determined. I have determined the appeals on this basis.

4. The appeal property is one of a terrace of four properties comprising Strapp Farmhouse, Granary Cottage, East Cottage and The Old Hay Barn. Windows in the front elevation of Strapp Farmhouse and Granary Cottage are of various dates, including ground floor stone mullioned windows with label moulds, 18C iron framed window and 20C metal framed windows which include top hung opening lights. Although fenestration in Strapp Farmhouse and Granary Cottage varies in age and style, it is an important and readily apparent element of the special interest of the listed buildings and noted within the listing description. The metal framed windows in Strapp Farmhouse and Granary Cottage have slender profiles accommodating single glazing.
5. The evidence indicates that East Cottage and The Old Hay Barn were created from the conversion of a barn during the 1970s. East Cottage and The Old Hay Barn have a lower ridge height than Granary Cottage and Strapp Farmhouse. Ground floor openings in the converted properties have new lintols and the dormers, which vary slightly in design between Old Hay Barn and East Cottage, have painted timber windows. The appellant refers to East Cottage and The Old Hay Barn having been rebuilt. Whilst it is clear that these two properties result from extensive alterations including the insertion of the dormers, other openings and the addition of rainwater goods, there is no evidence before me to confirm that the front walls were rebuilt in their entirety.
6. In 2007, the replacement of rotten timber windows on the rear of Barn Cottage was allowed following an appeal<sup>1</sup> (the 2007 appeal decision). The Inspector endorsed the Council's assessment that the quality of the conversion was poor and the buildings do not have the characteristics of converted barns but appear as cottages poorly renovated. The Inspector continues to quote the Council in stating that 'the setting of the listed building and its outbuildings was lost at the time of the conversion'.
7. The 2007 appeal decision was made in the context of alterations to the rear elevation of Barn Cottage. Reference is made to the former farmyard having been subdivided to provide rear gardens as well as parking and utilitarian garages and domestication having taken place with the erection of sheds, greenhouses and outbuildings. As the current appeal proposals relate to the front elevation of the Barn Cottage rather than the rear, I am satisfied that the 2007 appeal decision does not create a precedent in relation the proposals which are before me to determine.
8. The existing dormers and the timber windows in the front elevation of Barn Cottage are wholly domestic in appearance and their design and profile does not relate in a sympathetic manner to either Granary Cottage or Strapp Farmhouse. Whilst I have noted the appellant's comments that the windows and front door in The Old Hay Barn have been replaced and are now out of keeping, I am not provided with any planning history in this regard. However, I observed during my site visit that windows frames in the front and side elevations of The Old Hay Barn are timber.

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<sup>1</sup> APP/R3325/E/07/2040569

9. The appeal proposals would replace the window frames and door in the front elevation of the appeal property with uPVC frames and door, finished in a white wood-grained effect and incorporating double glazed units. The general pattern of the door and that of the windows in terms numbers of opening lights and means of opening would be based on the existing windows and door. Grey panels proposed for the dormer cheeks would be manufactured to reflect the grey panels on the front and sides of the existing dormers.
10. Limited information is provided with regard to detailed design and frame dimensions. The drawings do not specify a scale, nor are there cross section drawings to show the profile of the frames although I note there is reference to them being fully sculptured. Notwithstanding the lack of detailed drawings, experience indicates that the proposed window frames and surrounds would have a profile which would be considerably wider than that of the metal framed windows of Granary Cottage and Strapp Farmhouse.
11. The existing timber windows in the front elevation of appeal property do not have a slender profile. However, their replacement with windows which also lack a slender profile but in addition would be constructed from non-traditional materials would harm the appearance of Barn Cottage when it is considered in the context of the short terrace of properties of which it forms part. The incorporation of a wood-grain finish to the uPVC is not sufficient to overcome the use of an inappropriate material. The plastic rainwater goods on the property do not create a precedent for the uPVC finish on the proposed windows.
12. The proposals would adversely affect the setting of Granary Cottage and Strapp Farmhouse and further emphasise the contrast between the traditional fenestration of these properties and that of Barn Cottage. Although the appellant suggests that the narrowness of East Street prevents the group of four properties being seen as a whole, I observed during my site visit that Barn Cottage can clearly be seen as an integral part of the Strapp Farmhouse group in both face-on and oblique views.
13. Whilst the proposals would not result in any loss of historic fabric, the proposals would diminish the significance and harm the setting of Strapp Farmhouse and Granary Cottage. Hence, having regard to the provisions of Sections 66(1) and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposals would fail to preserve the setting of the listed building.

*Effect on the character and appearance of the Conservation Area*

14. Strapp Farmhouse and its attached neighbours face directly onto East Street. On the opposite side of the street is a detached agricultural building which retains much of its agricultural character and the door and other openings are boarded rather than glazed. This grouping of buildings makes an important contribution to both the character and the appearance of this part of the conservation area.
15. For the reasons given above, the proposals would detract from the character and appearance of the group of buildings of which Barn Cottage forms part, and in particular from Strapp Farmhouse and Granary Cottage.

16. The appellant refers to a number of properties within the village which have been altered by the introduction of windows in a uPVC finish although not necessarily incorporating the wood grain effect finish of the appeal proposals. Many of these examples are within the conservation area and I observed some of them during my site visit. However, I am not provided with the planning history of these alterations, nor whether any relate to listed buildings. Whilst I acknowledge that there are various examples of such windows in the village, these do not alter my views on the appeal proposals which I have judged on their own merits.
17. The proposals would fail to preserve and therefore would not enhance either the character or the appearance of the conservation area.

*Other matters*

18. The appellant's evidence includes a page<sup>2</sup> which refers to an interview with a representative from the Ombudsman's office and the page appears to be written comments requested at that interview. The author of the page is not stated, and I am not provided with full details of the circumstances relating to the report nor a complete copy of the report. However, I note that the text includes wording similar to that which appears in the 2007 appeal decision, and includes a statement that the historic and architectural interest of the outbuildings were lost when the original conversion took place, due to the interventions into the building and the design and form. These are matters which I have dealt with above.
19. Notwithstanding the need to comply with health and safety regulations which are outside the planning process, I have taken into account the appellant's comments regarding the use of ladders and scaffolding and the implications for decorating the front of the appeal property given its proximity to the street. However, such circumstances are not uncommon in village locations and this matter does not alter my consideration of the main issues.
20. I have taken into account that the Parish Council had no issue with the proposals and no comments were made by the occupiers of Strapp Farmhouse and Granary Cottage.
21. The appellant's comments regarding aspects of the Council's handling of the applications made to them by the appellant and those relating to the neighbouring property are noted. However, these are not matters which have a direct bearing upon my consideration of these appeals, which I have determined on their merits.
22. Accordingly, none of the other matters raised are sufficient to alter my findings in relation to the main issues.

**Conclusions**

23. The National Planning Policy Framework (Framework) sets out that great weight is to be given to the conservation of designated heritage assets. Whilst the harm the proposals would cause to heritage assets would be less than substantial harm in the context of paragraph 134 of the Framework, the limited public benefits arising from this proposal are not sufficient to outweigh the harm to heritage assets.

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<sup>2</sup> Item 6 appended to grounds of appeal.

24. The proposals would fail to comply with Policy EQ3 of the South Somerset Local Plan (2006 – 2028) adopted in March 2015. This policy requires, amongst other matters, that heritage assets are conserved and where appropriate enhanced, including safeguarding the significance, character and setting of heritage assets and through the use of appropriate materials and techniques. The proposal would also fail to comply with elements of Policy EQ2 of the Local Plan which require development to reinforce local distinctiveness and respect local context.
25. For the reasons given above, and having taken into account all matters raised, I conclude that the appeals should be dismissed.

*Jennifer Tempest*

INSPECTOR