



## Appeal Decision

Hearing held on 23 March 2016

Site visit made on 23 March 2016

**by Kenneth Stone BSc (Hons) DipTP MRTPI**

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

**Decision date: 21 April 2016**

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**Appeal Ref: APP/C3105/Y/15/3138337**

**Chancel Cottage, Fir Lane, Steeple Aston, Bicester OX25 4SF**

- 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 Justin Grainger against the decision of Cherwell District Council.
  - The application Ref 14/01601/LB, dated 9 September 2014, was refused by notice dated 11 May 2015.
  - The works proposed are described as 'internal alterations, external alterations (including insertion of six roof lights), demolition of attached outbuildings and erection of single storey extension.
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. The appeal before me is against the refusal of listed building consent. A related application for planning permission was refused at the same time. Both decision notices had similar reasons for refusal. However, the decision in relation to the planning application is not before me.
3. As this is an appeal against the listed building consent my considerations are limited to the effect of the proposals on the listed building and its setting, and the setting of any surrounding listed buildings. They do not relate to the effect of the proposals on the conservation area, as that is a matter for the planning application, except insofar as it is related to the setting of the listed buildings.
4. I have engaged my statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to the advice in the National Planning Policy Framework (the Framework) as footnote 29 makes clear that the principles and policies set out in section 12 apply to the heritage related consent regime.
5. The application was amended during the Council's considerations of the proposals and I have based my decision on the amended plans in the two bundles of plans identified as 'PL2 Amended plans – proposed' and 'PL2 amended plans – demolition'.

### Main Issue

6. The main issue is the effect of the works on any features of special architectural or historic interest of the Grade II listed building, Chancel
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Cottage, its setting and the setting of surrounding listed buildings, including the Grade II\* St Peter's and St Paul's Church.

## Reasons

7. Chancel Cottage is an C18 detached house in the small Oxfordshire village of Steeple Aston and is a grade II listed building. The listing description describes it as having an L shape plan, two storeys plus an attic and is constructed of coursed limestone with ashlar dressings and limestone rubble with wooden lintels. Its original roof is of stonefield-slate, albeit that the rear roof slope of the roof of the front range has been re-covered in plain concrete tiles, it also has rebuilt brick gable stacks. The house has a symmetrical two window front with a central door below a flat stone canopy. The rear range returns from the left and forms a lower wing partly converted from a stable.
8. There is reasonable degree of common ground between the parties as to the matters that contribute to the significance of the building. In addition to the list included in the appellants heritage statement the Council would also add the simple vernacular form of the cottage and survival of historic fabric and secondly the survival of the plan form with the C18 single pile plan and the later incorporation of the stable building into the domestic accommodation. In effect these are matters that are already covered by the appellant's heritage statement and as Mr Worlledge's updated heritage statement summarises at paragraph 7 bullet points two and three "*The significance includes the formality of its façade illustrates architectural fashions of the period as interpreted by rural craftsmen. The simplicity of its form and absence of elaborate decoration helps understanding of the status of the original occupants*" and "*The plan form and earlier function of the various rooms can be interpreted from surviving evidence (internal and external) and helps to explain how the household operated*".
9. On this basis I conclude that the significance of the building is as generally agreed by the parties and in part is derived from its architectural composition and appearance, its historical record, use of materials and its setting in the village providing physical evidence of the development of the village.
10. Chancel Cottage sits at the heart of the village opposite St Peter's and St Paul's Church, a Grade II\* listed building. It sits amongst other buildings which together provide a sense of enclosure to the street. These contrast with the openness of the Church Yard opposite which allows views across and towards these properties which act as a visual stop. The enclosure is not a uniform feature but includes variations in form and layout in the surrounding buildings including frontage development facing the street, properties at right angles with small courtyards and with variations in set back; all resulting from the organic development of the village and which adds to its charm and significance in terms of the conservation area and the setting of the appeal property and surrounding listed buildings.
11. The proposed works include the addition of a single storey extension at right angles to the rear range and running parallel to the front main range of the property. The extension would be finished in materials, the majority of which are to match the original property, but including a timber slat facing on the wall fronting the small courtyard that would be created by the new extension and the existing building. The works also include the insertion of six new roof lights in the existing building, four in the north facing slope of the stone slate roof of

the rear range and two in the rear facing concrete tiled slope of the original front building. The works propose the replacement of the rear concrete roof with a stone slate roof to match the existing and to replace the brick chimneys. It was agreed during the hearing that any rebuilt chimneys should be in brick rather than stone as identified in the proposed plans and that this could be the subject of control under a suitably worded condition. Internally it is proposed to create a new door opening at first floor level within the existing building that would allow for the use of the upper part of the former stable as a new bedroom and subdivide part of the rear range first floor to provide an access corridor through to the new bedroom whilst retaining a private bedroom.

12. The proposals also refer to a number of other minor works, re-instatement and general modernisation of the property, however these have not been the subject of concerns raised by the Council and have been suggested as replacement works that would not affect the significance of the building and thereby require listed building consent. These have not formed part of my consideration of this appeal and the detailed implementation would be a matter for the Council as to whether listed building consent was required or not.
13. Of greatest concern to the council is the single storey rear extension; this is in terms not only of its scale, bulk and mass but also the impact it has on the plan form of the existing property and the proposed use of the external finish to the west facing wall. The proposed extension whilst single storey and having a lower ridge line than the rear range is a significant addition to the footprint of the listed building. The existing rear range follows a hierarchical approach stepping down from the front original building and projecting in an L plan towards the rear. It is agreed by the parties this is a traditional approach to such extensions and an appropriate form in which the rear stable was incorporated into the extended property. It is contended by the appellant that the hierarchical approach is continued in the proposed extension with a similar reduction in height ensuring the extension would be read as a further addition to the property. The council are concerned that this distorts the traditional plan form, by which I take to mean footprint of the building, for this part of the issue, and that the more appropriate form would be to continue the rear range towards the east along the same alignment of the existing rear range and reducing in scale. I have some sympathy with that position. The substantial footprint, bulk and mass of the proposed extension added to the turn in position in relation to the rear range changes the experience and form of the building. It is not simply a matter of depth, projecting past the flank wall of the front range, but the bulk, scale and mass and positioning of the extension that contributes to the effect it has on the listed building. The creation of the small courtyard, the relationship between the different elements or wings of the building create a more complex footprint and plan form that obscures the original vernacular and more traditional property and its extensions. This harms the significance of the listed building.
14. The internal arrangements of the building would also be made less clear with the proposed addition and although some attempt has been made to identify changes through a step in the wall alignment the creation of an open space through the extension and into the rear range would further obscure the original plan form and use of the rooms. A matter which both parties identified as contributing to the significance of the listed building.

15. The use of a wooden slat facing on the west facing wall of the extension to differentiate the modern addition from the original building would in my view also create confusion. The appellant contends that such material is used in outbuildings and other structures in the area and therefore was a reflection of the surroundings. But if the intention is to differentiate new from old a very modern approach would be more successful than seeking to suggest this was an outbuilding attached to the main building. As this would potentially obscure the intent and form of the building.
16. In terms of the introduction of four skylights in the north facing roof slope of the rear range, this would result in the loss of historic fabric and result in a greater domestic appearance of this part of the building, which once included a stable block. The sky lights would be readily visible from within the village and church yard which was readily evident on the site visit. Whilst I did note other examples of velux windows in roof slopes within the village I did not see occasions where there were so many in one roof or in such a regimented layout. For these reasons I conclude that the velux windows would harm the appearance and therefore significance of the listed building.
17. The proposed works also included replacing the roof covering of the rear slope of the front range, which is presently concrete tiles, with stone slates to match the existing; this would be a positive improvement and enhance the significance of the listed building. As would the replacement of the chimney stacks with a more appropriate material, albeit the plans identify stone it was agreed this could be addressed by way of condition.
18. Internally the provision of a doorway at first floor level breaking through from the rear extension to the former stable would result in the loss of historic fabric and create a connection between parts of the building that was not formerly there. This would reduce the physical and occupational division of the building parts and reduce the historical distinction between those parts of the building that were originally accommodation and those that were not. To this extent this element of the works would harm the significance of the listed building. The appellant suggests that, even if this is accepted, the use of the upper floor of the former stable would enhance its protection and create a sustainable use for it such that would afford it greater protection and maintenance therefore safeguarding it better for future generations. The Council appear to accept this proposition, and noted at the hearing and in their appeal statement that taken by itself the benefits of this element of the works would outweigh any harm that may arise. Whilst I would see there may be an argument in that direction I must consider all the aspects that lead to harm and assess that against the benefits and I shall turn to this further below.
19. Overall I conclude that the proposed works would result in material harm to the significance of the listed building for the reasons set out above.
20. In the context of the setting of the listed building this is the area from which the building is experienced. It includes the surrounding village, the church yard opposite, the allotments to the rear and the surrounding countryside beyond the village. This also forms much of the setting for the Grade II\* listed church albeit that this may be from further a field in these locations given the visibility of the church and its spire.
21. The proposed extension would be seen within the complex of buildings that form the village and would be seen in glimpses as one passes along Fir Lane

- and from various locations within the church yard. From these points it would be read as part of the general enclosing built form of the village and would not appear as a prominent or significant feature. There are restricted views through to the open countryside beyond and the single storey form of the building would not substantially obscure or reduce such views. Where the proposed extension would be significantly more intrusive would be from the allotments and public access thereto. Here the extension would be a significant feature in the close views of the building and would adversely affect the setting of the building, being a prominent element in the foreground. I was taken to longer views of the village and church from the eye catcher and surroundings but the extension had a limited impact on the views of the listed building or the listed church and did not substantially change the setting of either as it would combine with the building forms against which it would be viewed.
22. Overall in terms of the impact on the setting of the listed building I find that there would be harm resultant from the extension in terms of views from the allotments but that there would not be harm from other locations or wider views. I further find that given the scale and nature of the works there would not be harm to the setting of the listed church.
23. I have concluded that there would be harm to designated heritage assets, but I am satisfied that the harm would be less than substantial, in the context of paragraph 134 of the Framework, given the scale and nature of the works and the effect this would have on the significance of those assets. On this basis I am required to weigh the public benefits of the proposals, including securing the optimum viable use of the asset, against the harm. It is agreed between the parties that the optimum viable use of the property is for residential purposes. The appellant contends that as this is a family home and requires the normal amenities associated with a family home that this requires the works including the extension to secure that viable use. It is also contended that the introduction of a family home of this nature would assist in supporting the local community, school, facilities and general sustainability of the community and village. The Council contend that the viable use as a residential dwelling can be secured with significantly more modest proposals. The house was last in residential use and its authorised use remains as such and that with sensitive works the property could be utilised for that purpose.
24. It is not disputed that the building is authorised for residential use and it is agreed that such a use is appropriate. The scale, extent and nature of the works are significant and intrusive. A less ambitious scheme which addressed the poor condition of the property and addressed the main issues could enable the use of the building for residential purposes. There are benefits from the scheme including the improvement of the building which are also public benefits as they would enhance the significance of the listed building and the appearance of the conservation area, in particular I would point to the re-roofing and the chimney replacement. However, I find that the public benefits that have been identified do not outweigh the totality of the harm to the significance of the listed building, to which I give great weight and importance.
25. For the reasons given above I conclude that the appeal should be dismissed.

*Kenneth Stone*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

Nicholas Worlledge                      Worlledge Associates

Justin Grainger                          Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Jenny Ballinger                          Senior Design and Conservation Officer Cherwell  
District Council

Emily Shaw                                Principal Planning Officer Cherwell district Council  
Officer

## **DOCUMENTS SUBMITTED AT THE HEARING**

1. Policy C18 and justification from Cherwell District Council Local Plan 1996 submitted by the Council.
2. Copy of Heritage Statement for the appeal prepared by Nicholas Worlledge submitted by the appellant.
3. A3 set of photographs and plans, enlarged versions of the ones attached to the Council's statement, submitted by the Council.