



Appeal Decision

Site visit made on 16 March 2010

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

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

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**Decision date:
1 April 2010**

Appeal Ref: APP/L3245/E/09/2118516

Hazel Cottage, 32 Shrewsbury Road, Cockshutt, Ellesmere, Shropshire, SY12 0JH

- 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 Richard Johnson against the decision of Shropshire Council.
- The application Ref 09/01194/LBC, dated 14 May 2009, was refused by notice dated 11 November 2009.
- The works proposed are the removal of existing ceiling, insertion of 2 conservation rooflights, replace existing gable window, repair and restore attic floorboards, improve insulation in attic ceiling, replacement of 2 kitchen windows.

Preliminary matters

1. In describing the application the appellant provided a very detailed description of the works proposed to be carried out. The Council has summarised the description in their decision notice which for the sake of brevity I have included above.

Decision

2. I dismiss the appeal and refuse listed building consent for the removal of an existing ceiling, insulation of the attic ceiling and insertion of two conservation roof lights.
3. I allow the appeal insofar as it relates to the windows and the attic floor. I grant listed building consent for the replacement of the existing gable window and one kitchen window, the repair of the cast iron kitchen window and the repair and restoration of the attic floorboards at Hazel Cottage, 32 Shrewsbury Road, Cockshutt, Ellesmere, Shropshire, SY12 0JH in accordance with the terms of the application, Ref 09/01194/LBC, dated 14 May 2009 and the plans submitted with it so far as relevant to that part of the works hereby granted consent and subject to the following conditions:
 - 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
 - 2) Prior to the commencement of any work for the replacement or repair of the windows full details of their replacement or repair shall be submitted to and approved in writing by the local planning authority and carried out in accordance with those details and retained thereafter.

Main issue

4. The main issue in this appeal is whether the proposed alterations would preserve the special architectural and historic interest of the listed building.

Reasons

5. The appeal property is a timber framed Grade II listed building of late 17th century origins having two storeys and a gable lit attic. It has an artificial slate roof. The listing description indicates that the full-length rear lean-to is not of special architectural interest. It is located within the village adjacent to the main road at the junction with Park Lane.
6. The Council consider that some of the proposed works are acceptable. The roofspace is divided by a chimneystack with one part used as an attic room accessed by a staircase. It has a plastered ceiling and a ceiling height of about 1.8 metres. The Council considers that the house appears to have been modified c1800 when a common feature at the time was the insertion of ceilings and improvements to roofspaces to make them habitable. The proposed removal of the floor covering and repairs to floorboards in this attic room and the replacement of the gable end window are considered to be appropriate.
7. One of the kitchen windows is a cast iron casement which the appellant accepts can be repaired and the proposal to replace another window in the kitchen is acceptable. These works would not harm the special interest of the building but I have granted listed building consent subject to a condition requiring full details of the repair and replacement of the windows to be approved by the Council before work commences. Such a condition is necessary to ensure that the replacement windows would be of a design and materials appropriate to the building and that the method of repair would also be appropriate.
8. However, the existing ceiling in the attic room is likely to be lath and plaster and forms part of the historic fabric of the building. The installation of two rooflights, albeit of modest proportions, would alter the character of the attic room and interrupt the unbroken line and surface of the roof. Although the rooflights would be on the rear roofslope, they would be visible from Park Lane and adversely affect the appearance of the listed building.
9. Reference is made to Policy C4 of the North Shropshire Local Plan and Policy QE5 of the West Midlands Regional Spatial Strategy which seek to protect heritage assets. Although there is no statutory requirement to have regard to the development plan so far as listed buildings are concerned, they are nevertheless material considerations. Both parties refer to PPG15 but this has now been replaced by Planning Policy Statement 5: Planning for the Historic Environment (PPS5) which is supported by a Practice Guide. However, the underlying objective of government policy to conserve heritage assets has not changed.
10. Although the harm caused to the listed building as a result of the proposed works would not be substantial, the works would still cause harm. The ceiling is a significant part of the historic fabric and the fact that it is internal to the listed building does not reduce its contribution. I appreciate that the appellant wishes to improve the functioning of the roofspace by increasing its headroom

but some partial improvement can be achieved through the alteration to the floor. The appellant considers that the works to the attic would reduce energy use and provide more natural light to the attic but I do not consider that these benefits outweigh the harm that I have identified.

11. The appellant refers to a nearby listed barn falling into disrepair but that is not a matter before me. I have no reason to believe that the refusal of listed building consent for works to the attic would lead to the long term deterioration of the building which is currently an attractive dwelling offering a good standard of accommodation.
12. I also note the support of the Parish Council.

Conclusions

13. For the reasons given above I conclude that the appeal should fail in so far as it relates to the removal of an existing ceiling, insulation of the attic ceiling and insertion of two conservation roof lights. I allow the appeal insofar as it relates to the windows and the attic floor.

P N Jarratt

Inspector