

Jane Tucker

From: Adrian Dowd
Sent: 17 March 2014 16:14
To: Jane Tucker
Subject: FW: APP/T2350/E/14/2213092

From: Adrian Dowd
Sent: 17 March 2014 16:05
To: 'teamp7@pins.gsi.gov.uk'
Subject: APP/T2350/E/14/2213092

Dear Mr Nash,

Planning (Listed Buildings and Conservation Areas) Act 1990
Appeal by Mr and Mrs L. Morris
Site at Wolfen Hall, Chipping, Preston, PR3 2NZ

The Borough Council has considered the information and reasons for appeal submitted by the appellant as well as Government online Planning Policy Guidance (finalised 6 March 2014) and has the following comments:

(i) The Borough Council retains the view that the proposed development is incongruous and anachronistic and believes this to be borne out by the October 2013 Heritage Statement:

'the present front of that part of the house largely belongs to the 1860s' and 'a generally bland facade which is to all intents and purposes indistinguishable from houses of the mid 1860s, which gives no indication of the building's more historic origins, or indeed is in a style distinctive to the local vernacular' (paragraph 4.1).

'designed with historical precedence in mind, and though it is not intended to be a faithful restoration of the porch demolished in the 1860s'

Most historic buildings show evolution and adaption and this is part of their special historic and architectural interest. The 1860 character of Wolfen Hall's main facade is recognised in the first line of the list description as part of its history and evolution.

The proposed development does not appear to fulfill the conditions under which English Heritage's 'Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment' (April 2008) might consider restoration to be appropriate:

126 - Restoration to a significant place should normally be acceptable if:

- a. the heritage values of the elements that would be restored decisively outweigh the values of those that would be lost;*
- b. the work proposed is justified by compelling evidence of the evolution of the place, and is executed in accordance with that evidence;*
- c. the form in which the place currently exists is not the result of an historically-significant event;*
- d. the work proposed respects previous forms of the place;*
- e. the maintenance implications of the proposed restoration are considered to be sustainable.*

Paragraph 127-137 discuss these principles in detail.

(ii) The Borough Council retains the view that the proposed development gives undue prominence to a

secondary element of the facade and believes this to be borne out by the October 2013 Heritage Statement:

'but its size and proportions are agricultural rather than domestic so it was clearly intended as the entrance to a shippon or stable, rather than part of the dwelling' (paragraph 4.2).

(iii) The Borough Council's concern at the impact to the character of the principal building main facade and the setting of the farmstead ensemble (e.g. public views) is not assuaged by the October 2013 Heritage Statement:

'the existing nineteenth century doorway into the building, to be enclosed within the porch would be left intact and would remain visible inside the new structure, as would the set-back between the two parts of the range which adjoin here' (my emphasis).

(iv) The Borough Council is mindful of the distinction between listed building 'character' and 'significance' as found respectively within the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF. The building's formal and unadorned C19 facade is an important contributor to its 'character'. Whilst the relative significance of the fine C16 interior is not disputed, both character and significance is derived from the interior's *in situ* preservation as part of a building which, not unusually, has evolved since first construction and ownership.

(v) The Borough Council has been unable to establish from the Heritage Statement the assertion *'this part of the house has been completely rebuilt over the last 50 years'*.

(vi) The reference in the Officer's File Report to the 'East Northamptonshire' High Court case was to make explicit the Borough Council's understanding of its duties at section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Mike Harlow, Governance and Legal Director, English Heritage in 'Legal Developments' Conservation Bulletin Issue 71: Winter 2013 also advises that *"the courts have said that these statutory requirements operate as 'a paramount consideration'; 'the first consideration for a decision maker ... Planning decisions are all about balanced judgment, but in that exercise there must be a sense of the weight society, through parliament, wishes to place on an objective like heritage conservation. The protection of listed buildings and conservation areas is clearly regarded as highly important, and that obviously should not be forgotten, out of respect for the democratic will as well as the law"*.

(vii) The Borough Council has explained and discussed its decisions with the appellant and sought to find a way forward in respect to the proposed development. In respect to the appellant's 'Draft statement of common ground', the Borough Council considers the location of the porch to be the most harmful factor. If the Inspector is minded to grant listed building consent, the Borough Council would respectfully ask that the following conditions be attached:

Precise specifications and samples of walling, roofing, fenestration and door materials and details of any surface materials to be used including their colour and texture shall have been submitted to and approved by the Local Planning Authority before their use in the proposed works.

Reason: In order to safeguard the character and significance of the listed building.

Timberwork shall be painted within one month of installation and retained as such in perpetuity.

Reason: In order to safeguard the character and significance of the listed building.

Yours sincerely,

Adrian Dowd
Principal Planning Officer (Design & Conservation)
Ribble Valley BC