
Appeal Decision

Site visit made on 18 November 2014

by David Richards BSocSci DipTP MRTPI

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

Decision date: 11 December 2014

Appeal Ref: APP/R3325/E/14/2225076

The Castle PH, High Street, West Coker, Yeovil, BA22 9AT

- 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 Firstcourt Accommodation against the decision of South Somerset District Council.
 - The application Ref 14/02466/LBC, dated 21 May 2014, was refused by notice dated 20 August 2014.
 - The works proposed are alterations to the roof to reinstate the north slope with tiles instead of thatch.
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Decision

1. The appeal is allowed and listed building consent is granted for alterations to the roof to reinstate the north slope with tiles instead of thatch at The Castle PH, High Street, West Coker, Yeovil, BA22 9AT in accordance with the terms of the application Ref 14/02466/LBC, dated 21 May 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The works for which consent is hereby granted shall be carried out in accordance with the following approved plans: Location Plan (received by the Council on 5 June 2014; Plan 1 – Site Plan; Plan 2 – Elevations and Rear roof slope as proposed.
 - 3) No work shall take place until details and a sample of the specific roofing material (handmade clay tile) to be used has been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is whether the works proposed would preserve the special architectural and historic interest of the listed building.

Reasons

3. The appeal building is listed grade II and is of 17th century origins, built in local stone rubble with Ham stone dressings. The premises were damaged by fire in 2013, when the thatched roof was completely destroyed. A repair

schedule was agreed to install a new timber roof structure and recover it with thatch.

4. The application to which this appeal relates sought consent to re-cover the rear roof slope with clay tiles. The front roof slope would be thatched, as previously agreed, extending over the ridge to include the upper part of the rear roof slope.
5. Section 66(1) of the Planning (Listed Building and Conservation Areas Act) 1990 requires decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.' Paragraph 132 of the National Planning Policy Framework (the Framework) advises that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The Framework distinguishes between substantial harm to significance and harm which is less than substantial. The damage to the thatched roof caused by the fire was extensive, resulting in the effective loss of all the thatching and roof timbers. The appeal proposal would not result in any further loss of historic fabric. An agreed scheme for the replacement of the frame, in a traditional style, has now been implemented. Nevertheless, replacement of the rear roof slope covering in anything other than thatch would clearly involve some harm to the significance of the building.
7. Given the history of the fire, and the fact that the masonry survived intact, I consider that the harm to the significance of the asset would be less than substantial. Paragraph 134 of the Framework requires that where the harm to significance would be less than substantial, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
8. I agree with the Council that, having regard to policy and practice relevant to the protection of historic buildings, the normal expectation following fire damage to a listed building would be for it to be repaired in a traditional style, using materials matching those lost as closely as possible, in this case thatch.
9. The Appellant considers that enhanced safety represents a public benefit which outweighs any harm to significance. The original building was substantially altered by the construction of a rear extension in 1986, including a flat roofed linking element, which is very close to the lower edge of the rear roof slope of the original building. It is argued that for safety reasons, it is preferable to avoid thatch reaching down to within half a metre of a flat roof, particularly where the flat roof also functions as a fire exit and escape route. The Council has indicated that it would not resist a proposal to tile the lower 500 mm of the roof slope, for safety reasons.
10. The response to consultation by English Heritage acknowledges that if the argument regarding safety were substantiated, it would be a valid justification for the proposed change. To my mind, there would be a significant safety benefit arising from the proposed change in that it would reduce the potential for ignition of the thatch from the adjacent walkway on the flat roof, and the potential for the escape route from the first floor being prejudiced. It would be a public benefit in that the building has remained publicly accessible, with a public bar on the ground floor. I acknowledge that there is no direct access

from the ground floor to the first floor, an internal staircase having been removed, but this is not a matter before me. Nevertheless, I accept that there would be a public safety benefit

11. Furthermore, the less than substantial harm to the special architectural and historic interest would additionally be mitigated by a number of considerations, chief of which is the substantial alteration to the rear of the property when it was extended. Although this work postdates the listing, I consider its form would now be regarded as an unsympathetic extension, which detracts from the setting and significance of the original building. It also has the effect of restricting public views of the proposed change as well as views from within the site. Although glimpses could be obtained through the gap between Nos 1 and 3 Brookside, and from the public footpath which crosses a field on rising ground to the north of the appeal site, I do not consider that the change would have any material effect on the setting of the building or on the surrounding conservation area. While limited visibility is not a justification for development proposals which are harmful to the significance of a heritage asset, I consider that it is appropriate to take such matters into account as mitigation in the particular circumstances of this case. There are some local precedents for replacing thatch with tile on less visible elevations, to which the appellant has drawn attention, though it is likely that these pre-date listing and current approaches to the protection of heritage assets, and as such I accord them little weight in reaching my decision.
12. Nevertheless, while I attach great weight to the asset's conservation, in the particular circumstances of this case I find that the public benefit of the proposal, in terms of improved safety, outweighs the less than substantial harm to the significance of the listed building, and provides a clear and convincing justification for the proposed alteration. In reaching this conclusion I attach particular importance to the acknowledged fact that the proposed change would involve no further loss of the historic fabric of the building.
13. I therefore conclude that the appeal should be allowed. A condition requiring compliance with the submitted plans is necessary to define the scope of the consent. A condition dealing with materials is necessary to ensure a satisfactory appearance and finish.

David Richards

INSPECTOR