



Appeal Decision

by **A L McCooey BA (Hons) MSc MRTPI**

an Inspector appointed by the Welsh Ministers

Decision date: 27/09/2023

Appeal references: CAS-02231-F5F8M8 and CAS-02303-B1R0G8

Site address: Aberdeunant, Bryn Lane, Newtown, SY16 3LX

- 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 David Brian Williams against the decision of Powys County Council.
 - The application Ref 22/0687/HH, dated 20 April 2022, was refused by notice dated 13 July 2022.
 - The development proposed is Construction of a small single storey oak framed garden room, with glazing and a slate roof.
 - A site visit was made on 31 July 2023.
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- 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 David Brian Williams against the decision of Powys County Council.
 - The application Ref 22/0688/LBC, dated 20 April 2022, was refused by notice dated 13 July 2022.
 - The works proposed are the construction of a small single storey oak framed garden room with glazed infills and under a traditional slate roof.
 - A site visit was made on 31 July 2023.
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Decision

1. The appeals are dismissed.

Procedural Matters

2. The applications for planning permission and listed building consent were refused for similar reasons related to the impact of the proposal on the listed building. I shall therefore consider the appeals together.

Main Issue

3. The main issue is whether the proposed works would preserve the special architectural and historic interest of Aberdeunant, a Grade II listed building.

Reasons

4. The building is located off Bryn Lane at the end of a long access road. The building which was extended in the 1950s, was listed in 1988 as a 17th century timber framed dwelling. In 1996 consent was granted for a large extension which projects to the rear of the building. This consisted of a barn of a similar age to the listed building that was transported to the site.
5. Sections 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require the decision maker 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. Planning Policy Wales, Technical Advice Note 24: The Historic Environment (TAN24) and Local Development Plan Policy SP7, all provide policy guidance reflecting the statutory duties.
6. TAN24 states that past changes that reflect the history of use and ownership may themselves be aspects of the special interest of the listed building. Cadw advice in Conservation Principles for the Sustainable Management of the Historic Environment in Wales provides detailed criteria for the assessment of new work to listed buildings.
7. I consider that the design of the proposal is high quality. The glazing, the spacing of the timbers and the scale and form of the extension will allow the historic layout to be seen. However, the issue for my consideration is the extent of the additions to the original modest cottage and whether this further proposed addition would cause harm to the significance of the heritage asset.
8. The appellant refers to the mid twentieth century extension increasing the size of the original building. However, this extension was present when the building was listed. The appellant confirms that it obscured the south gable and western elevation of the cottage. The appellant also points out that the 1996 addition matches the original listed building in age and appearance. He states that it also screens the inappropriate brickwork in the older extension.
9. It is claimed that the proposal is justified by the need for additional protection to the north gable. The information is confusing as the applications were accompanied by a Heritage Impact Assessment, which states that the north gable has been re-built. However The appellant states in the appeal submissions that it was not re-built. The interior timbers are sound and were clad externally by sawn timbers to protect them from the elements. No structural report has been supplied to confirm the position.
10. The appellant states that the addition of a small garden room is necessary for proper living conditions as the remainder of the house is dark as a result of small windows. I also note the extensive maintenance and improvement works to the building that the appellant has undertaken. The proposed works to this listed building must be assessed against the statutory tests and relevant policy guidance.
11. Guidance in Managing Change to Listed Buildings in Wales refers to the size and form of listed buildings as important aspects of their architectural character and aesthetic value. They may also contribute to historic interest because a building's size is often directly related to its use and status. The layout and plan of a building is often the basis of its design and provides evidence for its purpose, age and development.
12. In this case the building has been extended on two sides. The proposal whilst in itself modest and well designed, would obscure the gable and although set back, would appear to extend the front elevation. The cumulative impact of a further extension in this position would have an adverse impact on the features of the original building that remain and would detract from its aesthetic value.

13. The proposal is largely reversible because the extension could be removed in the future, with minimum impact to the external fabric of later date. However, Cadw objects because should any historic fabric survive embedded within the structure, then the extension would not only result in some loss but would limit access to allow for any necessary structural interventions. It is also pointed out that whilst the appellant seeks to improve living conditions, no information has been provided on what other options have been considered to improve the internal layout without further extending the building.

Other Matters

14. In terms of the planning application, the Local Planning Authority considered the proposal against the relevant policies of the Plan and concluded that there was no other objections to the development. I agree that the proposal for a modest extension in this location would not give rise to any concerns other than those identified in the reason for refusal.

Conclusion

15. For the reasons given above I conclude that the proposal would adversely affect the features of special architectural or historic interest which the listed building possesses. Having considered all the relevant information I conclude that the proposal would not meet the statutory tests in Sections 16 (2) and 66 (1) of the Act and would also be contrary to Planning Policy Wales, TAN24 (and accompanying advice) and Policy SP7. The claimed justification for and benefits of the proposal would not outweigh its adverse impacts. I conclude that the appeals should fail.

16. I have considered the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this decision, I have taken into account the ways of working set out at section 5 of the WBFG Act and I consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act:

A L McCooey

Inspector