The Planning Inspectorate

Appeal Decision

Site visit made on 8 January 2018

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2018

Appeal Ref: APP/B3438/Y/17/3186266
29a Queen Street, Leek, Staffordshire, ST13 6LS

- 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 Stephen Abberley against Staffordshire Moorlands District Council.
- The application Ref SMD/2017/0345, dated 22 May 2017, was refused by notice dated 22 September 2017.
- The works proposed are renovation and alteration works to house.

Decision

1. The appeal is allowed and listed building consent is granted for renovation and alteration works to house at 29a Queen Street, Leek, Staffordshire, ST13 6LS in accordance with the terms of the application, SMD/2017/0345, Ref 2017/0047/FUL, dated 22 May 2017, subject to the following conditions:-

    1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

    2) The works hereby authorised shall be carried out in accordance with the following approved plans: 29AQS-03 rev A; 29AQS-04 rev A; 3D Visuals Scheme as Proposed.

    3) No works shall take place until all joinery details have been submitted to, and approved in writing by, the local planning authority. The works shall be carried in accordance with the approved details.

    4) No works shall take place until the construction details of the frameless glass bay as well as the flashing details have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

    5) No works shall take place until details of all rainwater goods have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

    6) No development shall take place until samples of all external materials to be used in the construction of the external surfaces of the extension have been submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect on the special architectural and historic interest of the listed building at 29a Queen Street.

Reasons

3. In considering proposals for planning permission, the duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. The paragraph goes on to say that significance can be harmed or lost through alteration or destruction of the heritage asset. Paragraph 134 requires that where the harm is less than substantial, it should be weighed against the public benefits of the proposal.

4. The development plan includes policies DC1 and DC2 of the Council's Core Strategy Development Plan Document (2014) which reflect the statutory duty and accord with the Framework.

5. 29a Queen Street is the central house in a row of three grade II listed buildings designed and built by Willliam Larner Sugden in 1877 in the Queen Anne style. The significance of the three dwellings is both architectural and historical and derives in particular from their group value and the attention to architectural detail and exuberant ornamentation of the front elevation. I accept that it is not unusual for listings to refer only to the exterior of a building and have based my decision on the evidence before me and my own site visit impressions.

6. The proposed alterations would be at the rear of the dwelling. They include replacement windows and a doorway and the erection of a small, fully glazed ground floor rear extension to which the Council raises no objection. However, it considers that the potential loss of the chimney breast and removal of the end wall of the kitchen to incorporate an outside wc (which has been internally stripped out) and store in an enlarged kitchen area would be harmful.

7. Whilst the overall plan form has been retained and many original internal features remain, there have been previous alterations to the rear part of the house, including a flat roofed extension which has been demolished together with the rear wall of the attached outside store. I saw no evidence of a remaining chimney breast internally on the end wall to the kitchen and it seems likely that this would have been removed some time ago when the kitchen was fitted. In any case, the plan form for the rear part of the dwelling is typical of many houses of the period and unlike the detailing of the front elevation it contributes little to the significance of the building or to the group value as the floor plan and rear elevation of no 29 differs significantly from the appeal dwelling and no 29b.

8. The loss of the end wall to the kitchen would not, therefore, harm the significance of the building. The proposed extension would form a subservient, contemporarily styled addition which would not detract from the building's special interest and, together with the other alterations, would enhance it.

There is, therefore, no need for me to consider whether there are any public benefits arising from the proposal as required in paragraph 134 of the Framework.

Conditions

9. Other than the standard time limit and accordance with the plans conditions which are necessary to provide certainty, conditions requiring the approval of details of joinery, the frameless glass bay, flashings and rainwater goods and samples of all external materials are necessary in the interests of the listed building.

Conclusion

10. For these reasons I conclude that the proposed works would preserve and enhance the special architectural and historic interest of the listed building and would accord with policies DC1 and DC2 and the development plan as a whole. There are no material considerations that justify determining the appeal otherwise and the appeal should be allowed.

Sarah Colebourne

Inspector