
Appeal Decisions

Site visit made on 4 January 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 20 April 2017

Appeal A: APP/F4410/W/16/3154658
52 High Street, Bawtry, Doncaster DN10 6JA

- 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 Mr A Longworth against the decision of Doncaster Metropolitan District Council.
 - The application Ref: 15/02847/FUL, dated 26 November 2015, was refused by notice dated 11 February 2016.
 - The development proposed is described as alterations to form rooftop terrace and alterations to form access to first floor bar area and retrospective approval for siting of tables and chairs externally.
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Appeal B: APP/F4410/Y/16/3154659
52 High Street, Bawtry, Doncaster DN10 6JA

- 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 A Longworth against the decision of Doncaster Metropolitan District Council.
 - The application Ref: 15/02848/LBC, dated 26 November 2015, was refused by notice dated 11 February 2016.
 - The works proposed are described as alterations to form rooftop terrace and alterations to form access to first floor bar area and retrospective approval for siting of tables and chairs externally.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed and listed building consent is refused for alterations to form rooftop terrace and alterations to form access to first floor bar area and retrospective approval for siting of tables and chairs externally.

Preliminary Matter

3. As the proposal is in a Conservation Area and affects a Listed Building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
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Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building, The Granby, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Bawtry Conservation Area.

Reasons

5. The host property is a 3 storey building occupying a prominent position at the corner of High Street and Wharf Street with significant commercial use characterising the historic town centre immediately to the south. The proposal comprises the formation of a rooftop terrace on a single story extension, installation of an associated external staircase, the insertion of a first floor access onto the proposed terrace and changes to the first floor layout. Additionally, 'retrospective' permission is being sought for a ground floor external seating area to the front of the extension that has already been created.
6. The Bawtry Conservation Area (CA) covers an area encompassing the relatively compact historic core of Bawtry which is situated approximately 8 miles to the southeast of Doncaster. It has a number of distinct character areas with the host property marking the northernmost extent of the Market Place townscape character area. This area has an attractive, strongly-defined character principally associated with the historic commercial buildings flanking its main thoroughfare. The separation distances between the facing buildings are such that an uncluttered, spacious appearance is presented that emphasises the elegant form of its dominant Georgian architecture. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily related to the consistency of building form, style and materials.
7. The building, formerly known as The Granby, was listed in 1988 and dates from the late 18th century with significant 19th and 20th century additions. The earliest part of the building was constructed from brick and surmounted by a pantile roof that is hipped at one end. The principal elevation of the building comprises three bays. The first and second floor windows have simple architraves with unornamented, projecting stone cills. An articulated, single storey ground floor extension, of recent origin, projects from the northern gable end of the older building. This structure is rendered and stepped back from the principal elevation. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily related to the cohesiveness and prominence of its historic, architectural features.
8. I observe from the plans and my site visit that the proposed changes would have a high degree of visual prominence on approach from the north, along Doncaster Road and Station Road, as well as from viewpoints on the opposite side of High Street. The road layout is such that the glass balustrade, customers and associated outdoor paraphernalia would be clearly visible from multiple locations. The proposal would introduce highly incongruent, alien design features and materials in close juxtaposition to the main elevation that would be wholly unsympathetic to the special architectural interest of the building. The inherently poor design would be further compounded by the highly inappropriate and incongruent use of the roof as an outdoor terrace as well as by the increased visual massing of the extension which would destroy its subservient relationship with the earlier, more significant parts of the listed

- building. These changes would be highly detrimental to the special interest of the building and thus the significance of the CA. Given the above, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
9. The appellant is of the opinion that no harm would be caused to the building because none of the features contained within the list description would be directly affected. It has also been noted that no internal features were listed. However, listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest. Since a suitably detailed evaluation of significance has not been undertaken, despite the submission of a planning and heritage statement, I find that, whilst not determinative, the proposed alterations to the layout and fabric of the first floor could add to harm that I have already identified. The appellant has also suggested that the proximity of adjoining development that was approved by the Council justifies the proposal. However, I observed that neither the substantial mixed use development nor the re-use of the single storey building have led to the introduction of highly incongruent, unsympathetic design elements. As such they are not directly comparable to the current proposal.
 10. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Given that the changes primarily relate to a more recent part of the building, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under these circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of the optimal viable use of listed buildings.
 11. The appellant is of the opinion that the proposal would be beneficial because it would enable the continued use of the building as a public house which would enhance the viability and vitality of Bawtry town centre. However, I have no financial evidence before me to suggest that the continued viable use of the appeal property as a public house is dependent on the proposal. Consequently, the building has an ongoing use that would not cease in its absence. Similarly, no substantiated evidence has been provided to suggest that the private economic benefits that would accrue from increasing the capacity of the public house would be more widely shared in terms of providing any significant improvement to the overall viability or vitality of the town centre. In the absence of evidence to the contrary, I am not satisfied that the scheme is necessary to secure the ongoing viability and vitality of Bawtry town centre.
 12. Given the above and in the absence of any substantiated public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building and the character or appearance of the Bawtry Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with policy CS15 of the Doncaster Council Core Strategy 2011-2028 2012 and saved policies ENV25 and ENV32 of the Doncaster Unitary Development Plan 1998. These seek, among other things, to ensure that all proposals preserve the significance of heritage assets,

the character or appearance of conservation areas and avoid adverse impacts on the architectural and historic features of listed buildings. As a result the proposal would not be in accordance with the development plan.

Other Matter

13. The appellant has suggested that the proposal gains some support from the Framework as a sustainable form of development. Whilst the importance of sustainable economic growth is clearly emphasised, paragraph 7 advises that there are three dimensions to sustainable development: economic, social and environmental. Whilst it may be possible to deliver positive gains to one of these, this should not be to the detriment of another. In order to achieve sustainable development, the Framework advises that the planning system should ensure that economic, social and environmental gains are sought jointly and simultaneously.
14. This involves not only seeking positive economic benefits but also improvements to, among other things, the built and historic environments. The Government specifically identifies good design as a key aspect of sustainable development. Given the inherently poor design of the proposal and the harm that would be caused to both the listed building and the conservation area, and considering the Framework as a whole, the alleged benefits clearly do not significantly and demonstrably outweigh the harm that would be caused. Consequently, it would not amount to a sustainable form of development and would only gain limited support from the Framework.

Conclusion

15. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

Roger Catchpole

INSPECTOR