



# Appeal Decision

Site visit made on 15 June 2010

by **D Roger Dyer BA, DipArch, RIBA,**  
**FCI Arb, Barrister**

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

The Planning Inspectorate  
 4/11 Eagle Wing  
 Temple Quay House  
 2 The Square  
 Temple Quay  
 Bristol BS1 6PN

☎ 0117 372 6372  
 email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

**Decision date:  
 29 June 2010**

## **Appeal Ref: APP/R1845/E/09/2119416/NWF 19 York Street, Stourport-on-Severn DY13 9EH**

- 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 Brian Johnson against the decision of the Wyre Forest District Council.
- The application Ref 09/0557/LIST, dated 31 July 2009, was refused by notice dated 29 September 2009.
- The works proposed are "proposed internal alteration and refurbishment of existing commercial premises".

### **Decision**

#### **Appeal Ref: APP/R1845/E/09/2119416/NWF**

1. The appeal is dismissed.

### **Main issue**

2. The principal consideration in this appeal is whether the removal of internal partitions and associated works would harm the historic layout and internal character of the building.

### **Reasons**

3. The building that is the subject of these appeals is thought to have been built around 1800 and it is listed Grade II along with its neighbour at 20 York Street. It is a three storey, brick built property with stone quoins and a Welsh slate roof. It has an elegant facade with 16-pane sashes with flat arched stuccoed heads with voussoirs and keystones. The list description does not address the interior of the property.
4. The case for the appellant is that the proposed alterations are nominal or minor but will enable the listed building to move into its next phase of development and will, in the long term, help to preserve it in an active and beneficial use. It is suggested on the appellant's behalf that the purpose of the application is to retain the character of the building while providing the level of security that occupiers of the different office suites will require. It is said that the original layout of the building would be restored through the removal of stud work that has been provided close to the back door.
5. There were a number of discussions with the Council's Conservation Officer before the application was made. He is said to have voiced concerns over the extent to which the appellant wished to remove internal walls although he had

agreed to some new openings being created. Nevertheless the Conservation Officer says that he could not support openings on the scale proposed on the drawings and in particular he would not support the removal of a curved wall on the second floor, nor the 'wholesale' removal of walls, whether modern or historic leading to an unacceptable loss of historic material.

6. Inspection of the premises reveals that there are features that have to be preserved while making the changes sought by the appellant. On the top floor, particularly, there are varied ceiling levels and the scheme has to address the means of dealing with those issues. Equally, while the removal of lightweight partitions can be easily carried out without difficulty, the main structural emphasis of the building dictates its plan. That is an important characteristic of the listed building. It is essential that the plan form should be left unaltered as far as possible. Planning Policy Guidance Note 15 (PPG15) emphasises the point at paragraph C.58.
7. It is noted that the position of the staircase will be preserved although the stairs are unsafe and a replacement is proposed. However, no details of the new stairs have been provided, nor does the proposed scheme address the retention of intricate details such as cornices or friezes and other plaster decorative features.
8. The main concern, though, must be the degree to which the plan form of the building would be altered. There would be extensive demolition of major structural walls without any indication of how detailed features would be treated. In terms of preservation of the building and its features of architectural and historic features, the proposed scheme does not address these aspects. PPG15 indicates at paragraph C.3 that "alterations should be based on a proper understanding of the structure.... Repairs should usually be low-key, reinstating or strengthening the structure only where appropriate....new work should be fitted to the old to ensure the survival of as much historic fabric as is practical". In this case the scheme does not demonstrate that the listed building will be treated with the necessary respect.
9. In the absence of more details it is not possible to grant listed building consent for the works proposed by the appellant. In all the circumstances the appeal must be dismissed. In reaching my decision I have taken careful note of all other matters brought to my attention in writing but I have found nothing that outweighs the main planning considerations in this case.

*D Roger Dyer*

INSPECTOR