



Appeal Decision

Site visit made on 8 May 2018

by Mr A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2018

Appeal Ref: APP/C/17/3191626

The Old Library, High Street, Edwinstowe, Nottinghamshire NG21 9QS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Ms Jayne Whittaker against an enforcement notice issued by Newark and Sherwood District Council.
 - The enforcement notice was issued on 12 December 2017.
 - The breach of planning control as alleged in the notice is without planning permission, development consisting of alteration to existing windows on the east facing front elevation consisting of the insertion of 2 aluminium double doors and the removal of existing central entrance door and sidelights and replacement with a new wider accessible entrance door with glazed sidelights installed
 - The requirements of the notice are to replace the masonry, brickwork, windows and doors so as to return the east facing front elevation to that shown on drawing number 16/2065/001 (existing layout, elevations and site layout) as submitted as part of planning application 16/01058/FUL, as shown with the photographs contained as images 1 & 2 within the enforcement notice.
 - The period for compliance with the requirements is 100 days.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld. Planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Reasons

2. The main issue is whether the development preserves or enhances the character or appearance of the Edwinstowe Conservation Area (CA).
3. The surrounding area includes residential properties but High Street is a busy commercial street. Whilst there have been some alterations to buildings within the designated heritage asset, it is defined by solid brick masonry and plain tiled buildings as well as the layout of the streetscape. Original architectural features, like sash windows with small panes and timber shop fronts, reinforce the special architectural and historic interest of the CA.
4. The Old Library is particularly important to the significance of the heritage asset given its historic connection to the settlement. The type of building materials used reflects other properties within this part of the CA. The front elevation included original features like timber window and door frames. I consider that the building makes a positive contribution to the special architectural interest of the CA.

5. Planning permission was granted to convert The Old Library to a café and multi-use facility together with an extension to the rear¹. The original windows and doors to the front were shown as being retained. Pursuant to the approved plans, building operations have been carried out. However, alterations to the front elevation have been made resulting in the removal of original windows and central door, formation of opening by the removal of brickwork below. The two window openings have been replaced by aluminium double doors to floor level. The central entrance has been replaced by a wide entrance door with glazed sidelights.
6. The appellant argues that appeal building was unloved and has been sensitively restored and the alterations to the front are required for circulation, internal and external connectivity and accessibility. However, while the brick arches and keystone as well as the porch detailing have been retained, the external appearance of the building has dramatically changed. This is because of the removal of original timber windows and main entrance door. The full-height openings together with aluminium frames are at odds with the building's utilitarian and simple architectural style. The design of the alterations has little regard to the proportion and scale of the building's fenestration. I consider that the development significantly undermines the architectural quality of host building.
7. The appeal building was constructed during the Edwardian period and forms part of a distinctive early 20th Century phase along High Street. The building is set back from the highway but it is located on higher ground and is set within its own plot: its front elevation is a prominent feature. Given the extent of the front alterations, I take the view that the development is out-of-keeping with the character of the street scene.
8. I have taken account of the appellant's design strategy. Nonetheless, the development has a significant adverse visual effect upon the external appearance of the host building and fails to respect the special architectural interest of the CA. Accordingly, the development conflicts with Core Strategy Policy 14 (2011), policies DM5 and DM9 from the Allocations and Development Management Development Plan Document 2013. This finding is of considerable importance and weight.
9. The harm caused to the CA is less than substantial. There is, nevertheless, real and serious harm which requires clear and convincing justification. The strategy is to use the front courtyard in connection with the cafe, but the information presented does not show that the front elevation alterations are required for functional reasons. I do not consider there is any public benefit justifying this particular scheme. Given the above and in the absence of any substantiated public benefit, on balance, I conclude that the development fails to preserve the character or appearance of the CA.

Conclusion

10. For the reasons given above and having regard to all other matters, I conclude that the appeal should not succeed. I have upheld the enforcement notice and refused to grant planning permission on the deemed application.

A U Ghafoor

Inspector

¹ LPA refs: 16/01058/FUL and LPA ref: 17/00929/FUL.