

Appeal Decision

Hearing held on 10 January 2017

Site visit made on 10 January 2017

by Katie Peerless Dip Arch RIBA

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

Decision date: 24 January 2017

Appeal Ref: APP/D3505/F/16/3151069

18A Little St Mary's, Long Melford, Suffolk CO10 9LQ

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr & Mrs Joe and Gilly Cerri against a listed building enforcement notice issued by Babergh District Council.
 - The enforcement notice, numbered B/15/00140/ENF, was issued on 26 April 2016.
 - The contravention of listed building control alleged in the notice is the installation of 2 no. replacement internal staircases consisting of glass infill panelling; stainless steel handrails and brackets; softwood balustrades, newels and rails.
 - The requirements of the notice are: Step 1 – Remove the existing newels, rails, chrome handrails, brackets and glass panelling. Step 2 – Install plain stick or turned balusters with crown moulded hand rail in either painted softwood or oak.
 - The period for compliance with the requirements is 3 months.
 - The appeal is made on the grounds set out in section 39(1)(c) and (e) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Decision

1. The appeal is allowed and the listed building enforcement notice is quashed. Listed building consent is granted for the retention of 2 no. replacement internal staircases consisting of glass infill panelling; stainless steel handrails and brackets; softwood balustrades, newels and rails at 18A Little St Mary's, Long Melford, Suffolk CO10 9LQ.

Application for costs

2. At the Hearing an application for costs was made by the Council against Mr & Mrs Cerri. This application is the subject of a separate Decision.

Procedural matter

3. After discussion at the Inquiry, the agent for the appellants agreed that the works that have been carried out to the staircases and are the subject of the listed building enforcement notice are sufficiently different to the previously existing situation to have caused a change to the architectural character of the building and require a grant of listed building consent to authorise them. If this is the case then the appeal on ground (c) could not succeed. Whether the change is harmful or not is considered under the appeal on ground (e), which submits that listed building consent should be granted for the works that have been carried out.
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Main Issues

4. I therefore consider that the main issues are:

on ground (c): whether the works that have been carried out have affected the character of the property as a building of special architectural and historic or its setting within the Long Melford Conservation Area, and if so,

on ground (e): the effect of the works on these particular qualities.

Appeal site

5. The appeal property is attached to, but in a separate ownership from, Mansel Hall, (also known as The Elms) a grade II* listed 18th century house, to which it forms a later 2 storey extension. The original layout and use of the building is not known but it was possibly stables and staff accommodation connected with the main house. It was agreed between the parties that the interior has been much altered and the appellant gave evidence that the central staircase (Staircase B) was inserted at some time in the 1980s by a previous owner. This was not disputed by the Council. At present the building is in use as a restaurant with seating on both floors and the public have access to both staircases.
6. The staircases that are the subject of the notice were altered by the appellants after they took over the building and turned it into the restaurant. The previously existing timber handrails and balusters have been replaced and glass panels, an additional newel post and a new timber top rail, with metal handrails attached, inserted. There is also a metal handrail attached to the wall adjacent to staircase A.

Reasons

Ground (c)

7. As noted above, it was agreed that the works require the grant of listed building consent to authorise them. I also noted, from the photographs submitted with the appeal and from what I saw on site, that there is a clear difference between the style and materials used in the staircases before and after the works were carried out. The architectural and historic character of the building has been affected and this ground of appeal consequently fails.

Ground (e)

8. The appellants ask that listed building consent is granted for the works to the staircases, considering that they are appropriate and attractive alterations and that, whilst there has been a change, this has not harmed the character or interest of the building. It is submitted that, whilst they are a modern intervention, they serve to better display the historic interior of the building and its architectural features than the previous versions. They also have the advantage of being safer to use for the public.
9. The Council raises no objection to the replacement of handrails and balusters of the original stairs to provide safe access to the upper floor and to comply with current Building Regulations, but considers that glass and metal are inappropriate materials for this listed building and that the new timber sections are too heavy. It submits that alterations to achieve the required standard of safety could be achieved through a different and more sympathetic scheme.

10. It seems to me that the significance of the building is largely derived from its exterior and its historic linkage to the adjacent Mansel Hall. There is no alteration to the exterior and I agree with the parties that the works have had no impact on the character and appearance of the Conservation Area. However, the interior structure is still of historic importance as a record of the construction methods and materials used to construct the building.
11. Nevertheless, there have been many alterations to the interior, including the insertion of a floor and a modern window in the east elevation at first floor level, and the subdivision of the ground floor and installation of equipment to facilitate the current use. In the context of these changes, I consider that the staircases are not causing any harm to the character or historic interest of the building.
12. The alterations are clearly recent interventions and, in my view, serve to illustrate the fact that the building has evolved and is now being put to a use that differs from its original purpose. There has been no change to the location of the more historic staircase A which remains as a reminder of the previous link to Mansel Hall. The design of the timber and metal rails and glass panels are simple, with clean lines that contrast with, but do not detract from, the older structural elements that are still able to be seen within the building. One of the glass panels is etched with the name of the restaurant and is therefore identified as part of the current use. Photographs of the previous installation show square vertical timber balusters that, in my opinion, had a rather fussy and cluttered appearance that tended to draw the eye away from the original timber studs and large wall plate that can still be seen on the first floor.
13. In contrast, staircase A rises behind the service counter and the triangular panel of glass, together with the metal handrail on the wall behind, appears simple and elegant. Staircase B, the later insertion, rises in the centre of the building and is more prominent but it reflects the style of Staircase A and allows clearer views through to the original structure of the building than when the timber balusters were in position. The timber sections also appear to me to be in keeping with the larger historic structural members in the walls and roof.
14. The building is being used as a restaurant and there is no suggestion that this use is unauthorised. The building consequently contains fittings, decorations and furniture that are compatible with this use but which have no direct relation to the age or history of the building. In this context, I consider that the staircases are seen as part of the adaptations to enable the current use and are appropriate to the surrounding environment.

Conclusions

15. For the reasons set out above, I find that the alterations to the staircases have not caused harm to the architectural character or historic interest of the listed building and do not, therefore, conflict with the requirements of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). I consequently consider that the appeal on ground (e) should succeed.

Katie Peerless

Inspector

APPEARANCES

FOR THE APPELLANT:

Tristan Squire
Mr Joe Celli

Heritage Consultant
Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Simon Bailey BA MSc

Team leader Planning Enforcement Babergh
District Council

William Wall BA (Hons)

Heritage Officer Babergh District Council

DOCUMENTS

- 1 List of consultees informed of the Hearing