
Appeal Decisions

Site visit made on 6 June 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 20th June 2017

Appeal A: APP/B1225/W/17/3170275

1/2 Coombe Court, Langton Matravers, Swanage, Dorset BH19 5DP

- 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 & Mrs S V Robbins against the decision of Purbeck District Council.
 - The application Ref 6/2016/0577, dated 14 September 2016, was refused by notice dated 6 December 2016.
 - The development proposed is erection of rear 1/2 storey extensions, front porches, internal/elevational adjustments.
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Appeal B: APP/B1225/Y/17/3170272

1/2 Coombe Court, Langton Matravers, Swanage, Dorset BH19 5DP

- 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 & Mrs S V Robbins against the decision of Purbeck District Council.
 - The application Ref 06/2016/0578, dated 14 September 2016, was refused by notice dated 6 December 2016.
 - The works proposed are erection of rear 1/2 storey extensions, front porches, internal/elevational adjustments.
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Decision Appeal A

1. I dismiss the appeal insofar as it relates to the front porches and the removal of render to the rear elevation. I allow the appeal insofar as it relates to the rear extension and the associated external works, the internal works and new openings, and grant planning permission for rear 1/2 storey extensions and internal/elevational adjustments at 1/2 Coombe Court, Langton Matravers, Swanage, Dorset BH19 5DP in accordance with the terms of the application, Ref 6/2016/0577, dated 14 September 2016, subject to conditions 1) to 6) on the attached schedule.

Decision Appeal B

2. I dismiss the appeal insofar as it relates to the front porches and the removal of render to the rear elevation. I allow the appeal insofar as it relates to the rear extension and the associated external works, the internal works and new openings, and grant listed building consent for rear 1/2 storey extensions and internal/elevational adjustments at 1/2 Coombe Court, Langton Matravers, Swanage, Dorset BH19 5DP in accordance with the terms of the application, Ref 06/2016/0578, dated 14 September 2016, and the plans submitted with it,
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insofar as relevant to that part of the works hereby permitted, and subject to conditions 1) to 6) on the attached schedule.

Main Issue

3. This is the effect of the proposals on the architectural or historic significance of the listed building and its setting, and on the character and appearance of the Langton Matravers Conservation Area.

Reasons

4. The building is listed Grade II and Policy LHH of the Purbeck Local Plan Part 1 on landscape, historic environment and heritage requires development proposals to conserve the appearance, setting, character, interest and integrity of heritage assets. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
5. Paragraph 132 of the National Planning Policy Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings.
6. The present single dwelling was previously two modest cottages and the evidence of this on the external elevations is strong but less so internally where alterations have taken place. As seen from the front, both from the road and within the triangular courtyard formed with the other dwellings, the group displays an attractive arrangement that is a positive contribution to the character and appearance of the conservation area. To the sides and rear there have been changes, the most apparent being the rendering of the rear elevation and the cutting back of the bank, both said to be in response to previous damp problems. Be that as it may, the render is now a feature of the building and presents a sturdy face to the less formal arrangement at the rear garden, the building appearing low and well-related to the contours of the land. However, the architectural and historic significance to the rear is limited.
7. The proposed porches would echo that on the nearby dwelling to the south-east, but would appear fussy and out of place on the appeal building, eroding the historic form and the clean lines of the elevation stonework, and becoming visually confused with the cill of the upper windows. This part of the proposals would cause harm to the historic and architectural significance of the listed building. The level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The appellants refer to the need to buttress previous movement caused by the internal works to unite the two dwellings, but there is limited evidence of this and there would be less intrusive methods available for addressing such movement.

8. The proposed removal of render to rear risks damage to stonework, the render apparently being cement-based. Whilst the presentation of the building in its original form would be a benefit historically and evidentially, the aesthetic benefits could be limited. It could well be that a cement-based render is more susceptible to water ingress and may not allow the building to breath, but once carried out, as is the case here, the balance of risks fall in favour of retention.
9. The rear addition would be subservient to the scale and arrangement of the cottages and the proposed stone finish and likely more regular construction, against the irregularity of the render and the present roof slates, would clearly signal a new intervention and a new part of the history of the building. It would not adversely affect the significance of the building, allowing the history and original form, as well as the previous works, to be seen and clearly understood. The re-profiling of the garden and works to create retaining walls, steps and a patio would not adversely affect the understanding and presentation of the listed building and would not harm the conservation area. Whilst there would be change, it would be benign in its effect on the designated heritage assets and the character and appearance of the area.
10. It is for that reason that the internal re-arrangement is also acceptable, making good the compromises and poor design that accompanied the amalgamation of the previous two cottages and fitting the building for continued beneficial occupation. The insertions of new openings to the south and west elevations are similarly acceptable.
11. In view of there being acceptable works that are separable from the unacceptable works, it is appropriate to issue split decisions in each case, omitting the front porches and the removal of the render. On the latter, the rear extension would obscure some of the rendered area and it would be reasonable to use that as an opportunity to investigate the feasibility and final effect of removal, although the risks presently identifiable prevent this work being approved now. That investigatory work is secured by condition. Other conditions suggested by the Council are also attached covering materials, sample panels, joinery and any flues and pipes. Lastly a condition is required to be attached to the planning permission naming the drawings, because otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans as this provides certainty.
12. In conclusion, with conditions to secure the standard of work, the rear extension and resulting work to the internal arrangements, windows and rear landscaping satisfies the requirements of the tests in sections 16(2), 66(1) and 72(1) of the 1990 Act, and the aims of section 12 of the Framework on the conservation of the historic environment. The proposals accord with Policy LHH of the Local Plan. For the reasons given above it is concluded that both appeals should be dismissed in part and allowed in part.

S J Papworth

INSPECTOR

Schedule of Conditions Appeal A Planning Permission

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as relevant to that part of the development hereby permitted; 2830/1 and 2830/2.
- 3) No development shall commence until details of all roofing materials and the method used to attach them have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented using only the approved materials and method.
- 4) No stonework walling to either the extension or the retaining walls shall be carried out until a 1m square sample panel of stonework has been constructed on site and the acceptability the panel has been agreed in writing by the Local Planning Authority. The panel is to demonstrate the type and finish of walling stone, quoins, coursing and mortar/pointing to be used, and the development shall be carried out only in accordance with the approved standard. The sample panel is to remain on site until stonework is complete.
- 5) No development shall commence until detailed drawings of all new windows and their openings have been submitted to and approved in writing by the Local Planning Authority. Such drawings are to be to a scale of not less than 1:10, and are to include 1:5 scale sections through all main joinery and glazing components, and are to show the way in which the window opens, the position of the window within its opening and the way in which the opening is to be formed. The development must be implemented only in accordance with the approved details.
- 6) No development shall commence until detailed drawings of any new external flues or pipes have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented only in accordance with the approved details.

Schedule of conditions Appeal B Listed Building Consent

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) No works shall commence until details of all roofing materials and the method used to attach them have been submitted to and approved in writing by the Local Planning Authority. The works must be implemented using only the approved materials and method.
- 3) No stonework walling to either the extension or the retaining walls shall be carried out until a 1m square sample panel of stonework has been constructed on site and the acceptability the panel has been agreed in writing by the Local Planning Authority. The panel is to demonstrate the type and finish of walling stone, quoins, coursing and mortar/pointing to be used, and the works shall be carried out in accordance with the approved standard. The sample panel is to remain on site until stonework is complete.
- 4) No works shall commence until detailed drawings of all new windows and their openings have been submitted to and approved in writing by the Local Planning Authority. Such drawings are to be to a scale of not less

than 1:10, and are to include 1:5 scale sections through all main joinery and glazing components, and are to show the way in which the window opens, the position of the window within its opening and the way in which the opening is to be formed. The works must be implemented only in accordance with the approved details.

- 5) No works shall commence until detailed drawings of any new external flues or pipes have been submitted to and approved in writing by the Local Planning Authority. The works must be implemented only in accordance with the approved details.
- 6) No works shall commence until written proposals for a trial removal of the render in an area later to be obscured by the rear extension, have been submitted to and approved in writing by the Local Planning Authority. The trial works shall be carried out in accordance with that approval and opportunity afforded for the Local Planning Authority to inspect the result.