
Appeal Decision

Site visit made on 3 July 2017

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 10 July 2017

Appeal Ref: APP/V2004/F/16/3159355

15 Bowlalley Lane, Hull HU1 1YT

- 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 Dean Kirk against a listed building enforcement notice issued by Kingston-upon-Hull City Council.
 - The enforcement notice was issued on 22 August 2016.
 - The contravention of listed building control alleged in the notice is the installation of a front door case.
 - The requirements of the notice are (i) Remove the front door case; and (ii) Make good and repair to previous condition any damage caused to the building by the installation or removal of the front door case.
 - The period for compliance with the requirements is one month.
 - The appeal is made on the grounds set out in section 39(1)(i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Decision

1. The appeal is dismissed and the listed building enforcement notice is upheld.

Reasons

2. 15 Bowlalley Lane is a two storey mid-terraced property that was, at the time of listing in 1994, in use as an office. It was built about 1820 though was altered in the mid 19th and late 20th centuries. It is constructed in brick but has a rusticated stucco frontage below first floor window sill level. The building has two sash windows on its frontage at each floor level and at the left hand side is a doorway. The three openings at ground floor level have rusticated lintels.
 3. The Council has provided photographic evidence. A photograph dated 24 January 2005, when the building was still in use as an office, shows the doorway to have a slim architrave above and on both sides, and the rusticated lintel above to be almost wholly visible. Later photographs show the building to be in a poor state of repair, following the likely cessation of the office use, and the doorway to be without an architrave above and to its left hand side. Even later photographs show the building to be renovated with a 'Bowlalley House' sign affixed to the right of the doorway. In these photographs the architraves have been reinstated and the doorway to be in the same state as it was when the 2005 photograph was taken.
 4. At the time the enforcement notice was issued, and at the time of the site visit, the doorway had pilasters either side supporting a projecting 'entablature' which wholly obscures the rusticated lintel over the doorway, all constructed in timber. There is no evidence to indicate that this form of door case was in place at the date of listing or up to the cessation of the office use. The door case in place is
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wholly different, in form and character, to the simple slender architrave that was in place previously and, crucially, when the building was listed. The notice requires the reinstatement of the door case to its previous condition; this being its condition when the building was listed. The steps required by the notice would restore the character of the building to that which prevailed when the building was listed in 2005. The ground (i) appeal thus fails.

5. The Appellant has referred to his previous discussions and e-mail exchanges with Council Officers, and to other door cases in the city centre. The appeal, however, must be determined on the facts of the case.

John Braithwaite

Inspector