
Appeal Decision

Site visit made on 20 June 2017

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

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

Decision date: 11 July 2017

Appeal Ref: APP/V2723/Y/17/3171483

Sundial House, West End, Middleham, North Yorkshire DL8 4QG

- 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 Dr Michael Sweeting against the decision of Richmondshire District Council.
 - The application Ref: 16/00609/LBC, dated 8 February 2016, was refused by notice dated 5 October 2016.
 - The works proposed are repainting of exterior (front only) – rendering, masonry detail, wood work.
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Decision

1. The appeal is dismissed and listed building consent is refused for repainting of exterior (front only) – rendering, masonry detail, wood work.

Preliminary Matters

2. The works which are the subject of this appeal have already been undertaken. I have therefore seen the appearance and the finish used. S.7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) makes it clear that no person shall execute or cause to be executed any works for the alteration of a listed building in any manner which would affect its character as a building of special architectural or historic interests, unless the works are authorised.

Main Issue

3. The main issues in this case are:
 - (a) Whether or not the works preserve the building, or its setting or any features of special architectural interest which it possess; and,
 - (b) Whether or not the works preserve or enhance the character or appearance of Middleham Conservation Area.

Reasons

Sundial House

4. The appeal property is a grade II listed building. It is constructed from traditional and predominantly local materials and is of the local vernacular style. The main walls are finished in a rough cast render, with rusticated quoins, ashlar surrounds to the windows and door, along with a continuous sill

band at ground and first floor. The dominance of wall to void creates a robust appearance. As a consequence of the architectural form, the render is contained by well-defined features and because it is only punctuated by the central door and four windows (two each side of the door one at ground and one at first floor) and the sundial, from which the dwelling takes its name, the render is a significant element of the front façade.

5. The roof is of Welsh Slate with end stacks and later C19th dormers placed approximately above the main elevation windows. The whole appearance is largely symmetrical. The building is attached to an adjoining larger building at the west side. The Council reports that internally the original basic plan form is retained with key features such as the staircase, some skirtings, architraves and fireplaces in situ. This is not disputed.
6. The special interest, its significance, is derived from its architectural detail, historic fabric and its age as a historically important building dating from 1778.

Middleham Conservation Area

7. The Middleham Conservation Area was designated in 1973 with a Management Plan for it adopted in 2007 (Middleham Conservation Area – A Guide to Design). The Conservation Area is largely of tight-knit character but includes traditional open market place areas. The largest area is steeply sloping, while the smaller swine market is the open area which the appeal property faces. Middleham Castle and associated medieval structures are still a dominating element of the Conservation Area.
8. The Conservation Area is of local vernacular architecture as it has evolved over the years and of predominantly local materials. Those materials include render and/or limewash to provide weather protection. Traditionally, whilst some limewash would be its natural colour some would be pigmented as appears to have been the case for the appeal property. The Management Plan seeks that design and materials should accord with those traditionally used, which in terms of limewash, because pigments were locally sourced, results in a restricted range of colours.

The Appeal Works

9. The appeal works relate to repainting of the front elevation. While there is mention in the appeal of the render finish itself this is not a matter before me.
10. The main colour of the façade has been painted and, it seems, was intended to replicate a historic yellow pigmentation. However, I saw that the modern paint used has a striking and vibrant appearance as a bold yellow/gold colour. The brilliance of this colour does not sit naturally within the traditional palette of colours found within the Conservation Area and nor does it reflect a traditional pigmented limewash finish. I accept such finishes can themselves be bright when first applied and that they include gold colours, such as that used on a gable not far from the Castle. However, the appeal paintwork significantly goes beyond what would be perceived as historically accurate in colour or traditional in material. As a consequence the building colour appears as a particularly strident and uncharacteristic when seen approaching from the south, from the Swine Market Area and from the passageway from Castle Hill. This neither preserves nor enhances the character or appearance of the Middleham Conservation Area but harms it.

11. In terms of the listed building the stark non-traditional colour and modern finish detracts from the special architectural and historic interest of the building as a traditionally constructed and finished building.
12. Moreover, there is limited detail regarding the paint composition and I share the Council's concerns that non-breathable paints can cause significant damage to historic fabric. This is because trapped water in variable temperatures and states can cause damage to the stone work, causing spalling. Whilst this finish may have been applied to a previous non-breathable paint it may not have been. As such, I can but conclude, on the evidence before me, that the paint finish, including the white used for the quoins and other details, whilst also a little over-bright in finish, appears to have been chosen for its' weatherproofing rather than breathability. Thus, it is not appropriate because it is harmful to the fabric of the listed building. Therefore, I conclude that the works neither preserve nor enhance the fabric of this listed building and detract from its architectural features.

Other Matters

13. The appellant suggests that this colour is not any more vibrant than other colours may have been in the past suggesting that one property was bright pink. I have no substantiated evidence of the colour in that case. Moreover, this appeal relates to Sundial House and no other building.
14. The appellant raises concern about the removal of the paint finish and the impact that might have on the building, including on the historic sundial. However, there is little substantiated evidence regarding the solutions that have been considered. Moreover, this is not a justification for the harm that has been caused to this listed building.

Conclusions

15. The works harm the fabric and appearance of this listed building. Thus, having regard to my statutory duty under s.66 of the Act, I find it does not preserve it. The works also fail to preserve or enhance the character or appearance of Middleham Conservation Area, but rather they harm it and so I find conflict in terms of my duty under s.72 of the Act. Thus, the proposal fails to accord with Policy CP12 of the Richmondshire Local Plan Core Strategy (2014) which explains that those elements which contribute to the significance of heritage assets will be conserved and, where appropriate, enhanced. In terms of the National Planning Policy Framework, I concur with the Council that, less than substantial harm would arise to the heritage assets which are the listed building and Conservation Area. I therefore need to consider whether any public benefits would accrue which would outweigh that harm. However, there is nothing before me to justify the works on that basis.
16. I therefore conclude that the appeal shall fail.

Zoë Hill

Inspector