



Appeal Decision

Site visit made on 18 July 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 31st July 2017

Appeal Ref: APP/T2215/Y/16/3160692

3 The Hollies, Chapel drive, Dartford, Kent DA2 6PN

- 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 Drew Watkins against the decision of Dartford Borough Council.
 - The application Ref DA/16/00321/LBC, dated 23 February 2016, was refused by notice dated 23 August 2016.
 - The works proposed are the retention of fence panels to existing boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original proposals also included the erection of an outbuilding, however following further discussions between the parties, it is understood that this no longer forms part of the appeal. Accordingly, for precision I have amended the description of the development from the decision notice to reflect this change, also recognising that the works relating to the fence have already been undertaken.
3. A separate application for planning permission was also refused for the development, however this is not subject to an appeal and as such only the listed building consent is before me.
4. Following the refusal of the original application, the Council has formally adopted the Dartford Development Policies Plan in July 2017 (DPP). In their decision notice the Council quoted Saved Policies B1 and B6 of the Dartford Borough Local Plan (1995), and it is confirmed that these are now superseded and DPP Policies DP2, DP5, DP12 and DP13 are relevant.

Main Issue

5. The main issue relates to the effect of the fence on the special architectural and historic interest of the grade II listed building.

Reasons

6. The appeal property forms part of a grade II listed former Stone House Hospital complex. The hospital was originally built in 1866 as the City of London Asylum and was designed by James Bunstone Bunning in the 'Tudorbethan' style with yellow brick with white brick dressings, sash windows

and slate roofs set in open and landscaped gardens. The buildings comprise of two wings, joined by a central Great Hall and administration block. Two pavilion blocks flanking the front entrance also formed part of the original hospital design as well as a detached house for the Medical Superintendent which is located to the east of the main hospital buildings. The hospital also had a number of later phases of alteration and development between 1890-1924. Its design, plan form and ventilation, was intended to create a pleasant, light and airy environment for patients.

7. The comprehensive Conservation Strategy Report (2007) and the list description set out the architectural and historic interest of the building and its significance as a heritage asset with which, following my own observations, I agree. I consider that the significance of the hospital complex is derived from its design, architecture and plan form as evidence of the workings of a public mental institution in the 19th and 20th centuries and its contribution to the social history of the area. I note the former Superintendent's house is part of the original complex of buildings considered critical to the special interest of the site, particularly in its aesthetic and artistic value.
8. The hospital closed in 2007 and was later redeveloped and converted to residential accommodation. A number of new build dwellings were also constructed within the former grounds. The appeal property forms part of the former Superintendent's House which has been converted into separate residential units, now known as 'The Hollies.' This is a 2 storey building with yellow brick and slate roof construction, with later extensions and alterations in the Arts and Crafts style. Its positioning, scale, and architectural detailing is reflective of the role and status of the Medical Superintendent as well as being consistent in terms of its architecture with the wider complex. To the south side the appeal property is bounded by a tall yellow brick wall. To the front elevation, adjacent to a recessed parking bay, are tall railings to which stained horizontal fence panels, subject of this appeal, have been attached. Tall planting is located behind the railings and attached fencing.
9. Boundary treatments across the site comprise of a mix of yellow brick walls, metal railings and some areas of close-boarded fences and gates. These have been carefully designed as part of the conversion to avoid the appearance of obvious subdivision of the hospital complex, thus preserving the special interest of the listed buildings to which they are attached, as well as their overall setting. It is understood that the purpose of the railings is to help retain an open landscape character which was fundamental to the original hospital design. Planting was also agreed in order to provide privacy to residents.
10. The remainder of the subdivided units of The Hollies are bounded by tall walls, with timber gates. Nonetheless, it is clear that the intention of the original scheme was to retain views to the principle elevation of this building, which faces towards Cotton Lane Road. The attached fence panels completely enclose the frontage of the appeal property, thereby obstructing views of the listed building.
11. The solid design of the fence and its length has introduced a feature that has a strong, harsh and functional appearance which is significantly at odds with the carefully considered and executed boundary scheme. I consider that the works

represent a highly incongruous and dominant addition, which undermines the significance of the listed building and its relationship and understanding with the rest of the hospital complex, causing harm. They do not preserve, and detract from, the special architectural interest of the building.

12. My attention has been drawn to other examples within the hospital complex of timber 'Jackson' fencing panels, however, I saw that these are limited in their use and size and represent only small and discrete sections of the overall scheme. The existence of such alternative fencing does not justify the appeal proposal nor set an irresistible precedent for it. I note that the appellant suggests there may be scope for use of the Jackson style of fencing but this could not be reasonably secured by condition. Moreover, in light of my findings, due to the length and prominence of the fence panels subject to this appeal, replacing these with different solid fence panels would be unlikely to overcome the harm I have identified. In any case, any future alternative schemes should be subject to an application and appropriate consideration by the Council.
13. The appellant is also critical of the overall redevelopment of the site, including the development of dwellings within the former landscape gardens and the effect that this has on the setting of the listed buildings. However, I am not aware of the particular circumstances of the wider scheme and the balance of considerations. I have, in any case, determined the appeal on its own merits and the existence of any harm elsewhere would not justify the works before me.
14. The works would affect only part of the listed buildings and therefore in terms of the National Planning Policy Framework (the Framework) the harm caused to the significance of the asset would be less than substantial. Paragraph 134 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
15. I note that the cited benefits for the proposed development relate to safety, security and privacy. However, there is little evidence in respect of the safety and security concerns which relate to the appellant's young family, and while I accept that Cotton Lane Road is a reasonably busy main road which may also accommodate new development in future, the appeal property is separated from this road by an access road serving the hospital complex as well as a different boundary wall/railing which form the boundary to the wider hospital complex. Moreover, I give great weight to the conservation of the asset and any such benefits are largely private. I therefore find that there would be insufficient public benefit to offset the identified harm.
16. Overall I conclude that the works fail to preserve the special architectural and historic interest of the listed building. The works also conflict with DPP Policy DP2 which seeks to ensure that appropriate regard is had to heritage assets, DP5 in respect of general environmental amenity and DP12 and DP13 which set out a heritage strategy for the protection of heritage assets and require that that special regard to the desirability of preserving the listed building or its setting should be given. Finally the proposals would not accord with the Framework which seek to conserve heritage assets in a manner appropriate to their significance

Conclusion

17. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

C Searson

INSPECTOR