
Appeal Decisions

Site visit made on 8 August 2017

by **S J Papworth DipArch(Glos) RIBA**

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

Decision date: 16 August 2017

Appeal A: APP/X2220/W/17/3170925

White House Farm, Beauchamps Lane, Nonnington CT15 4EZ

- 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 Yates against the decision of Dover District Council.
 - The application Ref DOV/16/01000, dated 18 August 2016, was refused by notice dated 7 February 2017.
 - The development proposed is extension and internal alterations.
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Appeal B: APP/X2220/Y/17/3170927

White House Farm, Beauchamps Lane, Nonnington CT15 4EZ

- 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 Yates against the decision of Dover District Council.
 - The application Ref DOV/16/01001, dated 18 August 2016, was refused by notice dated 8 February 2017.
 - The works proposed are extension and internal alterations.
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Decision Appeal A

1. I allow the appeal and grant planning permission for extension and internal alterations at White House Farm, Beauchamps Lane, Nonnington CT15 4EZ in accordance with the terms of the application, Ref DOV/16/01000, dated 18 August 2016, subject to conditions 1) to 4) on the attached schedule.

Decision Appeal B

2. I allow the appeal and grant listed building consent for extension and internal alterations at White House Farm, Beauchamps Lane, Nonnington CT15 4EZ in accordance with the terms of the application Ref DOV/16/01001, dated 18 August 2016 and the plans submitted with it, namely 08192 - PL (01) 01B, 02A, 03A, 04B, 05A, 06A, 07A, 08B, 09, 11 and 14, subject to conditions 1) to 3) on the attached schedule.

Main Issue

3. In both appeals this is the effect of the proposals on the architectural and historic significance of the listed building and its setting within the Nonnington Conservation Area.

Reasons

4. The Council's reasons for refusal of the listed building consent application included an objection to the removal of a section of wall to form a new

staircase by reason of the potential loss of historic fabric. Subsequently, an area of wall was opened-up and found not to include any historic timberwork, it having been replaced with the masonry seen at the site inspection. As a result, the Council confirmed that no objection was sustained over this part of the works and that some benefits would accrue. There are clearly other areas of work that are similarly not objected to, including the re-roofing of the granary. The Council's objection to the rear kitchen extension and glazed link does however remain.

5. The building is listed Grade II and 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.
6. 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.
7. The Kent Design guidance includes the advice that the most successful buildings and places are the result of careful attention to detail, including the choice of materials. The guidance continues; *'New design should avoid the confused application of architectural styles or inappropriate historic imitation. Emphasis should be placed on the quality of the design solution, whether it is a reflection of a historic style or a contemporary approach'*.
8. It is clear from an inspection within the building and outside that the architectural and historic significance has been eroded or lost in some areas. Whilst it is possible to identify the original plan form along the front elevation and at first floor level, and more certainly within the building, through the arrangement of timbers, later additions have disguised or reduced the significance along the rear and the south end in particular, where a wrap-around extension has had a detrimental effect on the architectural integrity of the building and has severely limited the historic interest in those locations.
9. Internally, some inappropriate brick slips having been added to a chimney breast and a rough-cast render, referred to as 'Artex', has been applied to many infill panels and walls. It is this finish that has now been removed in part to reveal the lack of significance at the stair location. The other detrimental works previously carried out are in the replacement of windows with uPVC, and the removal of a former fireplace and stack.
10. The appellant seeks to form a new kitchen entirely within an extension to the rear, projecting from the present rear and side addition. The existing kitchen is within the side addition and part of the rear addition, at the south-west corner of the building. To that extent the often disruptive servicing and finishes requirement of a kitchen have been restricted to an area of limited, if any, architectural or historic interest. The kitchen is however cramped and poorly laid out, that being adversely affected by the rear of the one-time fireplace and chimney to the dining room.

11. It is acknowledged that listed buildings do not necessarily lend themselves to the level of accommodation that might be expected of a new-build or the conversion of an unlisted property, and some compromise of what would be deemed desirable on behalf of an occupier is often necessary. Notwithstanding the small inconvenient kitchen, the dwelling generally cannot be said to lacking in essential accommodation.
12. Nevertheless, the Council has suggested alternative locations for a larger, better-planned kitchen and these were looked at during the site inspection. The dining room in the historic body of the house would suit from a locational point of view, although a new location for a dining room would not be an unreasonable requirement. The study at the north end of the house would be remote. However, both would risk being adversely affected by the necessary servicing and finishes previously referred to, and both display a high level of historic and architectural interest that would increase their susceptibility to such harm. Their present use is a 'light-touch' and is entirely appropriate to the spaces. It may well be that one or other was a scullery or kitchen originally, but the nature of that use would have borne no relationship to what would be sought now.
13. That leads to consideration of extensions, and the appellant has provided various suggestions with a commentary. These are, to differing degrees, intrusive to the architectural or historic interest where they rise substantially higher than the present gutter level to the side and rear, or where they introduce a competing roof form attached to the building. Since these are not put forward as the subject of the appeal, they are not analysed in detail, but this exercise has shown that alternatives have been considered, and illustrates the susceptibility of the original building's core to inappropriate work.
14. The appeal proposal would be linked to the building by a corridor having a glazed side wall to the north and a door to the south side, the precise nature of the latter would need to be clarified, but the design ethos implies that it should be fully glazed, if not frameless. The roof would be low-pitched zinc with standing seams, which would impinge to only a limited degree into the slope of the wrap-around addition. The proposed kitchen extension would then widen slightly whilst being built within the rising ground of the bank beyond the house. The near-square plan form would be roofed in sedum planting, with a central lay-light.
15. The rising ground allows this addition to be substantially accommodated below that level, with only a limited visible presence when seen from the rear, and the use of a sedum roof finish would significantly reduce the effect of this being built form. The proposal would be an elegant addition to the building, attached at a location of very limited architectural or historic significance, and by reason of being outside the envelope of the building and divorced from the truly historic fabric of the original house, would not cause harm to the structural integrity of the listed building. In the words of Kent Design, it would be a high quality design solution, as a contemporary approach.
16. The historic and architectural significance of the listed building would hardly be affected, since that is mostly to the front and within the original structure, but there would be some erosion of the rectangular plan form, albeit that to the rear is an addition of little interest. To that extent, there would be harm, but of a minimal nature. 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.

17. The proposed works shown on the drawings include items of definite benefit, not only to the owners, but to the presentation of the listed building, which is a matter of public interest. As part of a complete package of works, the balance lies in the limited harm being substantially outweighed by the benefits. Those that have been weighed in the balance are the work to the staircase, the replacement of the windows indicated on the drawings, the removal of the drainage pipes to the front elevation, the removal of 'Artex', and the re-roofing of the rear and side addition in slate. The works to the windows and pipes are a benefit to the character and appearance of the conservation area in addition. The proposed works to the Granary are acceptable, but have not been weighed in the balance due to being separated from the main building, and unaffected by the addition.
18. It is necessary to ensure that these benefits are delivered, and so conditions are needed in addition to those suggested by the Council requiring that the occupation of the kitchen extension does not occur until those works have been carried out, but it would be reasonable to provide for some other agreement to be reached through a phasing scheme to the same end. Having seen the works to remove the 'Artex' to even a sample panel, it is necessary to seek a method statement to avoid harm to materials or structure that is presently obscured. The precise nature of the re-roofing to the Granary should be covered by condition.
19. The conditions suggested by the Council on further details and materials are necessary and reasonable, and should include the door to the glazed link as well as the other items just mentioned. A condition is required to be attached to the planning permission detailing the drawings to which this permission relates, for the avoidance of doubt and in the interests of the proper planning of the area. These provisions for greater flexibility in planning permissions do not apply to the listed building consent, where it is sufficient to list the drawings in the formal consent.

Conclusions

20. The proposed addition is an elegant solution in a contemporary design, as permitted by Kent Design. Although there is some very limited harm to the rectangular plan form, this is substantially outweighed by benefits that can be secured by condition, so that the works would accord with the requirements of statute and the Framework on the preservation of heritage assets. For the reasons given above it is concluded that both appeals should be allowed.

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; 08192 - PL (01) 01B, 02A, 03A, 04B, 05A, 06A, 07A, 08B, 09, 11 and 14.
- 3) Prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details:
 - a) Details at a scale of 1:10 of the proposed interface between the existing building and the new build, to include flashing details.
 - b) Detailed drawings to a scale of 1:5 and 1:1 of all new joinery, to include mouldings and glazing bars also showing glazing. The details are to include that of the glazed link and door, as well as windows marked # on the drawings. Details of finishes including colour shall also be included.
 - c) Details of mechanical ventilation or flues to be installed including location, dimensions, colour and material.
 - d) 1:10 scale drawings illustrating proposed eaves detailing.
 - e) Samples of the materials to be used in the construction of the external surfaces of the extension.
 - f) Details of the re-roofing of the Granary.
 - g) Details of the re-roofing of the rear and side additions.
- 4) The extension hereby permitted shall not be occupied until works to the staircase; the replacement of windows marked # on drawings 03A, 05A, 08B and 09; the removal of the drainage pipes to the front elevation; the removal of 'Artex'; and the re-roofing of the asbestos cement slates on the rear and side addition with natural slate, have been carried out, unless some other agreement has been entered into with the Council to secure the beneficial works.

Appeal B, Listed Building Consent

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) Prior to the commencement of the works the following details shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details:
 - a) Details at a scale of 1:10 of the proposed interface between the existing building and the new build, to include flashing details.
 - b) Detailed drawings to a scale of 1:5 and 1:1 of typical details of all new joinery, to include mouldings and glazing bars also showing glazing. The details are to include that of the glazed link and door, as well as windows

- marked # on the drawings. Details of finishes including colour shall also be included.
- c) Details of mechanical ventilation or flues to be installed including location, dimensions, colour and material.
 - d) 1:10 scale drawings illustrating proposed eaves detailing.
 - e) Samples of the materials to be used in the construction of the external surfaces of the extension.
 - f) Details of the re-roofing of the Granary.
 - g) Details of the re-roofing of the rear and side additions.
 - h) A method Statement for the removal of 'Artex'.
- 3) The extension hereby permitted shall not be occupied until works to the staircase; the replacement of windows marked # on drawings 03A, 05A, 08B and 09; the removal of the drainage pipes to the front elevation; the removal of 'Artex'; and the re-roofing of the asbestos cement slates on the rear and side addition with natural slate, have been carried out, unless some other agreement has been entered into with the Council to secure the beneficial works.