

Appeal Decisions

Site visit made on 22 October 2019

by R Barrett BSc Hons MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 08 November 2019

Appeal Ref: APP/B1740/W/19/3220495

14 Captains Row, Lymington SO41 9RP

- 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 Ken Acott against the decision of New Forest District Council.
 - The application Ref 18/11180, dated 20 August 2018, was refused by notice dated 24 October 2018.
 - The development proposed is front dormer window; replacement of portico with porch; replacement front door and replacement casement window.
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Appeal Ref: APP/B1740/Y/19/3220498

14 Captains Row, Lymington SO41 9RP

- 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 Ken Acott against the decision of New Forest District Council.
 - The application Ref 18/11181, dated 20 August 2018, was refused by notice dated 24 October 2018.
 - The works proposed are front dormer window; replacement of portico with porch; replacement front door and replacement casement window.
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Decision

1. Both appeals are dismissed.

Procedural Matters

2. The Council is preparing its Local Plan Review 2016-2036 Part One: Planning Strategy. That Plan is still at examination. Having regard to paragraph 48 of the National Planning Policy Framework (the Framework), I accord those policies limited weight.
3. During the course of this appeal, the Council granted listed building consent for other works to the listed building (Ref 19/10959). That consent refers to bi-fold doors, sun pipe, gas fire, and replacement secondary glazing and has been taken into account in this decision.

Main Issues

4. Whether the proposed development and works would preserve the special architectural or historic interest of 14 Captains Row, a grade II listed building; and whether they would preserve or enhance the character or appearance of the Lymington Conservation Area.

Reasons

5. The appeal building includes a two storey, double fronted 18th century terraced property, as seen from the street, with an asymmetrical façade, prominent two storey bay window, decorative portico and small dormer set within the roof slope. The roof of the appeal property, punctuated by a small dormer, reads as secondary to the main façade and the small dormer fits comfortably within it. It forms part of a group of generally similar listed properties, including 13-16 Captains Row. Although there are some differences between the properties in the listed group, there is a general cohesion in terms of their age, style, materials and high quality period detailing, such that they read as a group. The appeal site's historic fabric, traditional design features, period detailing and relationship to the listed group, all contribute to its significance as a listed building and that of the listed group as a whole.
6. The Conservation Area includes the historic core of the town. It includes streets lined with dwellings of generally two storeys with high quality period detailing, often with origins as homes for fishermen and boatmen. The appeal site, and the listed group as a whole, significantly contribute to the character and appearance of the Conservation Area that I have identified.
7. The proposed dormer would be close to the chimney stack. When seen together with that existing and that on the adjacent property, number 13, it would appear cramped. It would erode the area of uninterrupted roof slope which characterises the appeal property. In so doing, it would disrupt the distinctive secondary relationship of the roof slope to façade as viewed from the street. For the same reasons, it would disrupt the cohesion of the listed group.
8. Limited substantive evidence of the roof structure that would be affected by the insertion of the proposed dormer is before me and satisfactory access to assess this was not possible on my site visit. Therefore, I cannot be assured that it would not involve the removal of historic fabric and thereby diminish the listed building's significance as a heritage asset. This matter adds to my concern for the impact of the proposed dormer.
9. In coming to this conclusion, I have taken into account the spacing of dormer windows within the roof slopes of the listed group and the variety of dormer windows within the street. I am also aware that the existing dormer detail would be replicated in that proposed and that it would mimic the existing relationship of the dormer to the openings below. However, none of these matters overcome my concerns.
10. The rear casement window and front door are historic and contribute to an understanding of the listed building. Full replacement, in each case, would result in the loss of historic fabric and would diminish an understanding of the property's history and evolution. I was able to assess the condition of the rear casement window on my site visit. Whilst some repair may be appropriate, full replacement would not be necessary. That some of the property's windows have already been replaced adds to the importance of retaining historic fabric where it exists.
11. The front door, although not identical to other front doors in the listed group, is contemporary with the listed building. Its replacement in the way proposed, would again result in the loss of historic fabric and erosion of an understanding

of the property's history and evolution. Further it would erode an understanding of the group's history and evolution and the distinctive qualities of each property within it and thereby diminish their significance as heritage assets.

12. I conclude that the appeal proposals would fail to preserve the special architectural or historic interest of 14 Captains Row, a grade II listed building. In addition, they would fail to preserve or enhance the character or appearance of the Lymington Conservation Area. For these reasons they would be contrary to policies CS2 and CS3 of the New Forest District Council Local Development Framework Core Strategy New Forest District outside the National Park. They would also be contrary to policy DM1 of the New Forest District Council Local Development Framework Local Plan Part 2: Sites and Development Management New Forest District outside the National Park. Those policies, together, require high quality design that seeks to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets.

Public Benefits

13. In accordance with paragraph 193 of the Framework, I accord great weight to the conservation of a designated heritage asset. I consider that the harm to the significance of the listed building and Conservation Area would, together, be less than substantial. This is a matter to which I attach considerable importance and weight. However, in this case, whilst I acknowledge the private benefits that would result for occupiers of the appeal property, no public benefits, as identified in paragraph 196 of the Framework, are before me, which would outweigh that harm.

Conclusion

14. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR