



Appeal Decision

Site visit made on 14 July 2020

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 11th August 2020

Appeal Ref: APP/G2625/Y/19/3232169

8 Hardy Road, Norwich NR1 1JN

- 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 Miss Jessica McCully against the decision of Norwich City Council.
- The application Ref 19/00307/L, dated 27 February 2019, was refused by notice dated 20 May 2019.
- The works proposed were originally described as "To remove the internal wall separating the living space and the kitchen, to create an open-plan style space. Currently the layout of two long, narrow rooms is impractical. The work has been assessed by a consulting Engineer, who has provided plans for the safe installation of a supporting steel beam and bearing. The walls would be rebuilt at either end to provide support for the beam. Currently the walls are flimsy and made of lathe and plaster, which is crumbling away at one end, with the condition of the rest of the walls currently unknown as it is covered with plasterboard, but we assume it will be in bad condition and in need of repair anyway. To increase the size of the chimney breast in the kitchen to allow for the installation of a range cooker within the space. Currently the area is used as shelving and could be put to much better use, pertaining to its original use as a cooking area. We feel that the house will be much improved with these works."

Decision

1. The appeal is dismissed insofar as it relates to the removal of the separating wall. The appeal is allowed insofar as it relates to the alteration to the kitchen chimney breast, and listed building consent is granted for the alteration to the kitchen chimney breast at 8 Hardy Road, Norwich NR1 1JN in accordance with the terms of the application, Ref 19/00307/L, dated 27 February 2019, and the plans submitted with it, so far as relevant to that part of the works hereby permitted, and subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) The works authorised by this consent shall be carried out in accordance with the following approved plans: Location Plan and Existing and Proposed Elevations of the kitchen chimney breast.
 - 3) No relevant works shall take place in pursuance of this consent until scaled plans, elevations and sections detailing construction methodology and specification/composition of the enlargement of the opening within the kitchen chimney breast have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
 - 4) Upon completion of the works authorised by this consent, any damage caused to the building in the course of carrying out the works shall be

made good within 3 months in accordance with a scheme submitted to and approved in writing by the local planning authority.

- 5) All works of localised repair and making good to retained fabric shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture, and profile.
- 6) All existing fabric shall be retained unless notated otherwise on the drawings approved under this consent.
- 7) Any archaeological, architectural and/or historic features not previously identified which are revealed when carrying out the works authorised by this consent shall be retained in-situ and reported to the local planning authority in writing within two working days. Works shall be halted in the area of the building affected until provision has been made for the retention and/or recording in accordance with details submitted to and approved in writing with the local planning authority.

Procedural Matters

2. For clarity, the description of works in the formal decision above is based on the description in the appeal form rather than application form.
3. For the reasons that follow, I find the alteration to the kitchen chimney breast to be acceptable and it is clearly severable from the removal of the separating wall. Therefore, I intend to issue a split decision and grant listed building consent for the alteration to the kitchen chimney breast only.

Reasons

4. The main issue is whether the proposed works would preserve the special interest of the Grade II listed building at 8 Hardy Road.
5. The appeal property at 8 Hardy Road forms part of a single listed building entry known as 6 and 8 Hardy Road. They are a pair of former railway workers' cottages dating from the mid-19th century. They are small single storey properties with attic space above. They form a group with a number of other cottages of similar age, appearance, size and use along this side of Hardy Road. The appeal property and No 6 have architectural and historic interest as small Victorian planned workers' dwellings. This contributes greatly to the special interest and significance of the listed building.
6. The ground floor of the appeal property is divided into two small rooms as a living room and kitchen. Each room has a fireplace and chimneybreast along the shared wall with No 6. The simple layout and compact nature of the internal space contribute positively to the architectural and historic interest of the listed building and its significance. The fireplace in the kitchen is small and currently used for shelving. The inside walls are brick and there are two former flue openings in the fireplace's ceiling suggesting previous use for cooking. The wall around the fireplace is plastered. It is a modest but interesting feature that contributes to the special interest and significance of the listed building.
7. The removal of the separating wall between the living room and kitchen would alter greatly the small and compact internal layout of the ground floor. The ability to understand and appreciate the cottage as a small workers' dwelling would be diminished. As a consequence, there would be harm to the special interest and significance of the listed building.

8. The harm would be less than substantial but still important given the value of the historic layout. Paragraph 196 of the National Planning Policy Framework (NPPF) requires less than substantial harm to be weighed against the public benefits of the proposal. NPPF paragraph 194 states that any harm should require clear and convincing justification.
9. The removal of the separating wall would provide greater flexibility in terms of the use of the ground floor. However, it has not been shown that such alteration is necessary to ensure the conservation of the listed building. Evidence relating to the wall's condition is limited and there is little to suggest that it could not be repaired and retained. Moreover, it is not apparent that the current layout is preventing the occupation of the building as a residential property. Thus, the removal of the wall would be largely a private benefit. No public benefits have been demonstrated that outweigh the identified harm.
10. The kitchen fireplace would be widened slightly from 860mm to 1000mm, and the height of the opening increased from 910mm to 1500mm to accommodate a range oven and a safe cooking area. The existing flues could be used for extraction purposes. Although there would be some loss of historic fabric, it would be limited and offset by re-using the fireplace for cooking purposes rather than shelving. The opening would not increase significantly. As such, the works would maintain the special interest and significance of the listed building.
11. In conclusion, the proposed removal of the separating wall would not preserve the special interest of the listed building. Therefore, it would conflict with NPPF paragraphs 194 and 196. In coming to this conclusion, I have taken into account Policy 2 of the Joint Core Strategy 2011/2014 and Policies DM1, DM3 and DM9 of the Norwich Development Management Policies Plan 2014. Amongst other things, these policies seek to deliver high quality design and maximise opportunities to preserve and enhance heritage assets. Conversely, the proposed alteration of the kitchen chimney breast would preserve the special interest of the listed building. It would be in accordance with NPPF paragraphs 194 and 196 and the aforementioned policies.

Conditions

12. Conditions 1 and 2 are necessary for clarity and compliance. The remaining conditions are necessary to ensure that the works have an acceptable effect on the listed building. Condition 3 requires further details of the fireplace enlargement, Conditions 4 and 5 ensure any making good and localised repairs are carried out sympathetically, Condition 6 seeks the retention of historic fabric unless approved, while Condition 7 allows for the discovery of any features whilst undertaking the works to be addressed properly.

Conclusion

13. For the above reasons, I conclude that the appeal should be allowed insofar as it relates to the alteration to the kitchen chimney breast and dismissed insofar as it relates to the removal of the separating wall.

Tom Gilbert-Wooldridge

INSPECTOR