



Appeal Decision

Site visit made on 28 July 2020

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 01 September 2020

Appeal Ref: APP/V1260/Y/20/3251075

14 St James Close, Poole, Dorset BH15 1JL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr Matt McCabe against the decision of Bournemouth, Christchurch and Poole Council.
 - The application Ref APP/19/01055/L, dated 16 August 2019, was refused by notice dated 20 March 2020.
 - The works proposed are described as replacement of 1No ground floor front elevation timber sliding sash window with margin bars with a new timber sliding sash window in same opening with 8/8 pane sashes to match existing first floor front elevation windows, with white painted finish as existing. Paint existing facing brick gable end wall and adjoining facing brick rear garden boundary wall with white masonry paint.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the works would preserve a Grade II listed building, 14 St James Close, its setting, or any of the features of special architectural or historic interest that it possesses; and whether the works would preserve or enhance the character or appearance of the Town Centre Heritage Conservation Area (the Conservation Area).

Reasons

3. I have split my decision below into subsections. These are provided simply to assist clarity in reading. The subsections should be read together, and are concluded as a whole at the end.

The listed building

4. No 14 is a 2-storey dwelling with attic and basement. It is not part of a 'terrace', though did originally abut other buildings on both sides. The building formerly to the north has been demolished, and a pedestrian walkway now runs along that side of the plot. Insofar as it is relevant to this appeal, the significance and special interest of No 14 lies in its early-mid eighteenth century date and architecture, which features fine historic brickwork and flush fitted sash windows. It also holds value viewed as part of a group of broadly contemporary buildings both adjoining, and otherwise forming part of the precinct around St James Church.

Painting

5. The brickwork on the north gable, including the north side of the chimney stack, is relatively modern. It was added when the building abutting No 14 was demolished, probably in order to provide a clean and intact face. It projects at the front, presumably recalling the position of the demolished building. The brickwork is laid in stretcher bond on a visible damp proof course. Whilst it is directly bonded into the historic brickwork on the rear elevation, and chimney stack, across the rest of the north elevation the exact nature of the physical and functional relationship between it and the historic fabric beneath is unclear.
6. In the absence of a fully informed understanding of the composition of the building fabric, it cannot be concluded with any certainty that the addition of a finish which might inhibit, or change the way in which moisture moves through it, would cause no harm. Indeed, regardless of the stated 'breathability' of any given product or finish, this will inevitably be less than if no finish was applied at all. Moreover, the application of a finish would not in this case serve any demonstrably necessary protective function. Consequently, the application of masonry paint across the north elevation of the building could potentially result in degradation of concealed historic fabric.
7. In aesthetic terms, the brickwork on the north gable does not match the colour or bonding of historic brickwork on either the front or the rear elevations of the building, and the jointing is erratic. It is not therefore wholly complementary, or attractive in itself. Even so, a stronger visual relationship exists between it and the exposed brickwork on the front and rear elevations of the building, than would if exist the north elevation was painted. Exposed brick and painted brick indeed have a completely different visual character.
8. In this regard painting would not provide any benefit by hiding the bond pattern. This is because the bond pattern would remain clearly visible beneath the paint, and might actually be given emphasis by variations in light and shade that would occur across the monotone surface created. Painting would thus be more likely to emphasise differences between the brickwork on the north elevation, and that on the front and rear, than it would be to hide them.
9. The fact that a small part of the rear elevation of the building at ground floor level, the inner faces of the boundary wall, and the flat roofed modern extension are already painted, does not alter my view. If anything, these existing painted surfaces provide confirmation that the visual contrast between painted and unpainted brick surfaces would not be complementary.
10. The visual contrast would be appreciable moving around the building, in views from West Street, and from within St James Close itself, where painting of the projecting element of the north wall would greatly increase its incongruous appearance. In each regard harm would be caused.
11. My attention has been drawn to other listed buildings, including that adjoining, which have a painted finish. However, whilst there appears to be some uncertainty as to whether the finishes in question are authorised, either way, it does not follow that a painted finish would be appropriate in this case.
12. As the boundary wall is modern, painting would not cause any harm to historic fabric. The wall nonetheless adjoins the end gable of the building, and if painted in isolation, would again appear incongruous. Incongruity would be

further increased by omitting the painted finish above the tile creasing, which is treatment more characteristic of modern housing developments.

Window

13. The sashes in windows at first floor level on the front elevation are subdivided 8 over 8. In view of the age of the building this is likely to be the original arrangement. The outer beading of the sash box is set flush with the face of the brickwork. The sash box of the window at ground floor level matches, albeit the outer beading in this case is partially missing and does not appear to be in its original form. The sashes have also been replaced in a different design dating to a later period, and the glazing appears to be modern.
14. The Council has raised no objection to replacement of the sashes in the ground floor window to match those above. Though there is nothing offensive in the design of the existing sashes, and they appear to be in good condition, their replacement would provide a more unified appearance, better reflecting the original design of the frontage.
15. The plans and heritage statement however indicate that the proposal is to replace the window in its entirety, 'in the existing opening'. No justification for complete replacement of the window has been provided. It appears to be in good condition. Furthermore, though it is stated that the upper windows would be copied, the drawing provided does not show this. Indeed, the beading detail differs, and the meeting rails incorporate horns which are both absent from the first floor windows, and otherwise anomalous in this context. Aside from this, the drawings are poorly detailed, lacking any sections.
16. In view of the above, the replacement of the existing window would result in the unjustified loss of fabric, and cause further harm through inappropriate detailing.

The Conservation Area

17. The site is located within the Conservation Area. Insofar as it is relevant to this appeal, the significance of the Conservation Area, and more specifically the 'Old Town' sub-area in which the site lies, resides in the high concentration of historic buildings it contains, and evidence for the historic street layout. In this context, and in view of my reasons above, No 17 makes a positive contribution to the significance of the Conservation Area.
18. Most historic buildings within the Old Town are characterised by exposed brick finishes. Where 'paint' occurs, this is more typically applied over stucco as a formal finish, than directly over brick. Similar is true in relation to gable ends. Whilst painted brickwork may not therefore represent a historic finish, even if it does, it is not one which is broadly characteristic of the Old Town.
19. The brickwork in the north gable of the building itself provides evidence of a particularly destructive phase in the history of the Old Town, which in this case involved major alteration of the street layout. Its presence in the context of the appeal site assists in understanding the changes which occurred, which are otherwise partly masked by an adjacent modern housing development. As outlined above, the modernity of the brickwork would remain appreciable even if painted. However, the finish would not otherwise complement the building, and nor would it be consistent with the broader pattern within the Conservation Area at large.

20. Many historic buildings within the Conservation Area retain original windows. In this context replacements can appear incongruous where poorly detailed, including where horns have been incorporated in replacement multipaned sashes. Thus the installation of poorly detailed windows at the appeal site would have a small but cumulatively harmful effect. In this and the above regards the works would have a negative effect, and the significance of the Conservation Area would be harmed.

Public benefits

21. I have found above that the works would harm the significance of both the listed building and the Conservation Area. With reference to paragraph 196 of the National Planning Policy Framework (the Framework), I consider that the harm caused to each would be less than substantial. Having further regard to the considerable importance and weight to be given to the statutory objective of preserving or enhancing conservation areas, I attach considerable importance and weight to the harm that would arise in this context. In accordance with paragraph 196 it is necessary to balance this harm against the public benefits advanced in favour of the scheme.
22. Having already dismissed above any claimed benefit in relation to the building, the sole remaining benefit claimed is that the pedestrian walkway along the side of the building would be made lighter. Though the proposed finish might well reflect some light, it is unlikely that this would provide an effective light source. The simple fact that the shade of paint would otherwise be less dark than the colour of the brick would itself provide no obvious benefit.
23. Assuming that contractors would be employed to carry out the works, a small amount of business would be generated. The broader economic benefits of this would however be negligible, and thus attract negligible weight. Consequently, the public benefits of undertaking the works would be insufficient to outweigh the harm that would be caused to both the significance of No 14 and that of the Conservation Area. This provides a clear reason for dismissing the appeal.
24. For the reasons outlined above I conclude that the works would not preserve the special architectural or historic interest of No 14, and that they would additionally fail to preserve or enhance the character or appearance of the Conservation Area. The proposals thus fail to satisfy the requirements of the Act and heritage policy set out within the Framework. Though the Council additionally cited Policy PP30 of the Poole Local Plan 2018 in its decision, this is written with reference to 'development' as opposed to 'works' requiring listed building consent.

Other Matters

25. I acknowledge the various correspondence referred to by the appellant, and concerns expressed with regard to the consistency of the Council's advice. However, this is matter which falls outside the scope of this appeal.

Conclusion

26. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR