



Appeal Decisions

Site visit made on 3 November 2020

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

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

Decision date: 11/11/2020

Appeal A Ref: APP/X2220/W/20/3251051

Tudor House, Watercress Lane, Wingham Well, CT3 1NS

- 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 Dumbrell against the decision of Dover District Council.
 - The application Ref 19/01552, dated 17 December 2019, was refused by notice dated 13 March 2020.
 - The development proposed is erection of an oak framed garden room.
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Appeal B Ref: APP/X2220/Y/20/3251049

Tudor House, Watercress Lane, Wingham Well, CT3 1NS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Dumbrell against the decision of Dover District Council.
 - The application Ref 19/01553, dated 17 December 2019, was refused by notice dated 13 March 2020.
 - The works proposed are erection of an oak framed garden room.
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Decisions

Appeal A and Appeal B

1. Both appeals are dismissed.

Procedural Matter

2. This appeal decision letter considers two appeals: Appeal A for planning permission and Appeal B for listed building consent. Whilst covered by different and specific legislative duties, given the similarities between the issues raised I have considered both in this single decision letter.

Main Issues

3. The effect of the proposed development and works on the Grade II listed building.

Reasons

4. The appeal site comprises Tudor House, a Grade II listed building located close to the settlement of Wingham Well. The listing description identifies that the building dates from around the 17th to 18th Centuries and is built into two blocks. The listing indicates that architectural features include pilaster quoins, platband and cornice to Dutch gable with broken pediment thrusting through

open pediment. It is features such as these that the significance of the listed building as a heritage asset derives.

5. Planning permission and listed building consent are sought for the erection of a single storey rear extension located on the rear elevation of the building and projecting about 2985mm to the southerly side elevation. The external measurements would be approximately 5050mm in depth and 5360mm in width (the longer element also including the 2985mm projection) as shown on the submitted drawings. Materials used would include brick for the external walls with tiled roof and glazed lantern.
6. Whilst the location of the extension has been chosen to minimise the physical contact with the dwelling, it would nonetheless obscure part of the decorative platband on the rear elevation of the building which is an important architectural feature of the listed building. Moreover, the dimensions of the extension footprint are relatively large when considered against that of the historic heart of the building. When this is viewed in combination with the height of the proposed extension the result is a visually dominating addition to the dwelling. This dominance is further compounded by the way in which the extension would come off the corner of the building and project by just under three metres from the flank wall. Lastly, the large areas of fenestration shown in the proposed scheme would be at odds with the more modestly proportioned lead framed style windows of the main building.
7. As such, I find that the proposed development would have a negative impact on the listed building which would fail to preserve its special interest as required by Sections 16(2) and 66(1) of the PLBCA. Given the scale of the works sought and the limited intervention to the fabric of the host building, this would result in no more than less than substantial harm. Paragraph 196 of the National Planning Policy Framework (the Framework) sets out that where a proposal would lead to less than substantial harm to the significance of the designated heritage asset this harm should be weighed against the public benefits of the proposal.
8. In this case, I recognise that the proposal would contribute to the development of the dwelling, as set out in the Appellants Grounds of Appeal. However, I do not agree that this would be in a manner that would preserve the special interest of the listed building. I also note the benefits that might accrue to the occupants of the listed building from the provision of additional living space in a building they have lived in for a number of years. Setting aside whether these are public benefits or private ones I find that these benefits do not outweigh the less than substantial harm I have found to the listed building as a designated heritage asset.
9. For the reasons given above I conclude that both appeals should be dismissed.

Cullum J A Parker

INSPECTOR