
Appeal Decisions

Site visit made on 1 December 2020

by S J Papworth DipArch(Glos) RIBA

an Inspector appointed by the Secretary of State

Decision date: 9 December 2020

Appeal A: APP/E2205/W/20/3257213

Spelders Hill Farm, Spelders Hill, Brook TN25 5PB

- 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 Whorlow against the decision of Ashford Borough Council.
 - The application Ref 19/01747/AS, dated 16 December 2019, was refused by notice dated 5 June 2020.
 - The development proposed is reconfiguration and enlargement of out-of-character rear dormer with new pitched catslide roof and ground floor extension to create additional and improved facilities.
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Appeal B: APP/E2205/Y/20/3257214

Spelders Hill Farm, Spelders Hill, Brook TN25 5PB

- 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 Whorlow against the decision of Ashford Borough Council.
 - The application Ref 19/01748/AS, dated 16 December 2019, was refused by notice dated 5 June 2020.
 - The works proposed are reconfiguration and enlargement of out-of-character rear dormer with new pitched catslide roof and ground floor extension to create additional and improved facilities.
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Decisions

1. I dismiss both appeals.

Preliminary Matters

2. The Council's Refusal Notices list the drawings on which the decision was made; MH01.5, the survey of existing; MH01C, the site plan; MH02D, plans and elevations as proposed; and MH03, proposed plans. The appellants have also supplied MH02E and MH03A showing a change to the rear roof and window arrangements, and whilst that option was acknowledged in the Officer's Report, it was stated that this did not overcome the Officer's concerns and that *'the applicant was happy for me to proceed to determine the application based on the initial design'*. This last statement is denied by the appellants stating that *'we seek to appeal this decision based upon these original designs and ongoing discussions and amended designs and not solely upon the original issued designs which we accepted the officers comments by revised design and ongoing dialogue'*.

3. The Council relies on the Officer's Report as their appeal Statement and it is clear that the Officer did consider the revised design, notwithstanding the decision was taken on only the original design, since only the single set of applications had been made. It is unclear whether the appellants formally substituted the revised design for the original one, but in view of these circumstances, it is reasonable to consider both designs at appeal as options.

Main Issue

4. The building is Listed Grade II and the main issue in both appeals is the effect of the proposal on the architectural or historic significance of the building and its setting.

Reasons

5. Local Plan Policy SP1 states the strategic objectives which include conserving and enhancing designated heritage assets, proportionate to their significance. High quality design is promoted under Policy SP6, and Policy ENV13 is specific to the conservation and enhancement of heritage assets. Supplementary Planning Guidance Note 10 '*Domestic Extensions in Urban and Rural Areas*' details at section 8 advice on roof extensions and dormers.
6. Paragraph 124 of the 2019 National Planning Policy Framework states that good design is a key aspect of sustainable development, while paragraph 193 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.
7. 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.
8. The Heritage Statement and later personal notes from the appellants' investigations set out the likely historic development of the building now in place and whether 1950's or earlier, there have been significant changes to the south flank wall and the internal arrangements. The architectural and historic significance of the building resides very much in the front and north side flank elevations and to a lesser extent to the rear wall, lesser still to the south side flank elevation. There is a masonry wall running north-south at the point where the present catslide roof continues the line of the two-storey roof, and that was visible through the trap-hatch in the kitchen as well as through being a thicker internal wall on the plans and seen at the site inspection.
9. The catslide part has some exposed timber structure in the stairwell and a purlin was continuous there and through the 2 first-floor cupboards outside the bathroom. A similar timber spanned across the roof void over the kitchen and there was evidence of a one-time studwork wall in that void adjacent to and affected by, the formation of the bathroom projection. These are features of moderate historic interest in depicting the evolution of the house.
10. The bathroom projection is expressed however as an unattractive and visually intrusive box dormer with a flat roof, disrupting the run of the catslide and since it projects the plane of the single-storey rear wall upwards, it causes significant harm to the historic and architectural interest of the rear wall and roof. It is of a design that is advised against in the Supplementary Planning

Guidance and its removal or improvement would be a welcome intervention subject to the effect of the new works.

11. Complete removal of the dormer and reinstatement of the catslide would be unlikely as it would require the loss of floor space to relocate the bathroom. Shortening the depth to reinstate the eaves line together with placing a pitched roof on it would assist and has been discussed, while the appellant's wish for a second shower-room as proposed could be achieved by a double pitched roof on a widened dormer.
12. While these feature in sketches for discussion with the Officer, such proposals are not part of either the application design or the appeal design, because both designs seek to integrate a ground floor dining room extension projecting from the present kitchen/dining room at the same width as the proposed shower-room/bathroom above. It appears that the Officer had promoted the idea of separating these 2 areas of work, but that is not proposed either.
13. The proposal to widen the floor area of the bathroom to accommodate a shower-room to the south would result in the shortening of the purlin seen in the cupboards together with the loss of some roof finishes and visual extent of catslide, but alone would not cause much harm and would be justified if it brought about an improved layout and appearance of the dormer. It is not for an appeal decision to suggest how this may be presented externally, but something similar had been discussed with the Officer previously.
14. Similarly, the proposed addition at ground floor level would, under the 'Revision E' layout, retain a greater length of rear wall expressed internally and would, alone, be a proportionate addition to the building that would cause only limited harm, and that would be outweighed by the public benefits of better fitting the building for modern family life. Listed buildings in private ownership are cared for in the public interest and it is reasonable that they should evolve.
15. However, the 2 proposals to integrate the first floor and ground floor works under a single roof form cause visual harm to the presentation of the listed building, eroding its historic and architectural significance and introducing an over-strident building form which detracts from the simple attractive lines of the rear roof.
16. The original 'Revision D' scheme has an over-high rear-facing ridgeline, imposing too much on the height of the building through being close to the present ridgeline, and the indented vertical window and flat leaded apron would appear clumsy and poorly integrated with the simple lines of the listed building.
17. The revised 'Revision E' scheme seeks to lower that ridgeline through an asymmetrical roof, a sloping soffit to the shower-room and the lowered eaves on that side, lighting the rooms by rooflights. This arrangement would appear unattractively 'lop-sided' or unbalanced and the 3 shower-room rooflights would appear too close to the hips and do not represent good design.
18. Both schemes would cause harm to the significance of the listed building, and whilst different, the level of harm in each case would be 'less than substantial', a differentiation required between paragraphs 195 and 196 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.

19. Whilst the formation of an additional shower-room on the first floor would be a benefit to the operation of the family house, there does not appear to be a real risk of this attractive building, in a pleasant rural location, falling out of the optimum viable use as a dwelling for want of the extra facility. The removal or more likely, redesign of the harmful dormer would be a public benefit to the presentation of the building and significant weight attaches to this, but the 2 schemes proposed introduce further harm and greater bulk that in the balance are not outweighed or otherwise justified by the benefits.
20. The proposals would not satisfy the statutory tests in the Planning (Listed Buildings and Conservation Areas) Act 1990 and would be contrary to Policies SP1 and ENV13 as well as the Framework with regard to the effect on the listed building, and are not of the standard sought in Policy SP6 or the Framework on design. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR