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## Appeal Decision

Site visit made on 4 January 2021

**by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

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

**Decision date: 07 January 2021**

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**Appeal Ref: APP/R1010/F/20/3236163**

**The Coach House, Brookhill Lane, Pinxton, Nottingham NG16 6JU**

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs J Westmoreland against a listed building enforcement notice issued by Bolsover District Council.
- The enforcement notice was issued on 5 July 2019.
- The contravention of listed building control alleged in the notice is alterations/works comprising the:
  - a) Insertion of a ceiling across the former historic concert room to create a first floor above and with this the loss of the full height space and the minstrel balcony that overlooked it;
  - b) Construction of a full height brick fireplace and chimney in the former performance space to create a drawing room;
  - c) Creation of a new corridor / landing on the newly created first floor above the former concert room to access two newly created bedrooms (one with en-suite bathroom);
  - d) Insertion of a doorway from the newly created first floor corridor/landing into the approved east wing extension;
  - e) Insertion of a doorway from the newly created first floor main block bedroom into the approved east wing extension;
  - f) Removal of a structure that contained the pendulum pit and chimney from the lobby on the ground floor;
  - g) Removal of a fireplace c.1745 from the lobby which was served by the aforementioned chimney;
  - h) Removal of the kitchen units in the room now known as the Snug;
  - i) Conversion of the kitchen into a snug with the insertion of a stone fireplace and timber panelling;
  - j) Removal of a staircase in the main block between the snug and dining room (western staircase);
  - k) Insertion of a ceiling across the former western stairwell in the main block;
  - l) Removal of a clock mechanism from the clock tower;
  - m) Removal of the casing that housed the clock mechanism in the clock tower; and
  - n) Replacement of the windows with timber double glazed alternatives.
- The requirements of the notice are:
  1. Remove all the unauthorised alterations in the main block east (highlighted in yellow on the enclosed Coach House Pinxton Floor Plan) and restore/repair any consequential damage with materials that match the immediate surrounding area including:
    - a. the unauthorised brick fireplace (Marked 'A' on the enclosed Coach House Pinxton Floor Plan);
    - b. the unauthorised ceiling and upper storey first floor;
    - c. all upper storey first floor partition walls and doors and built in cupboard;
    - d. two upper storey first floor bedrooms and one en-suite bathroom including all plumbing, toilet, sink, bath, shower, bidet; and,

- e. remove all first floor skirting boards, architraves and joinery.
  2. Remove and infill the two upper storey access doors into the east wing from the main block east first floor and restore/repair by using materials that match the existing stone partition wall between the main block and the east wing (Marked 'B' & 'C' on the enclosed Coach House Pinxton Floor Plan), access to first floor (upper storey) East Wing must be developed in full accordance with planning permission 04/00549/FUL and the corresponding Listed Building Consent 04/00549/LBC approved on 18th April 2005;
  3. Restore the full height (floor to roof) concert room including the upper storey first floor timber minstrels balcony located in the main block east (highlighted in yellow and green on the enclosed Coach House Pinxton Floor Plan) to a state that matches the condition of the original historic concert room and minstrels gallery;
  4. Except for the area containing the first floor minstrels balcony remove all first floor electric power supply sockets, light switches and restore/repair any consequential damage with materials that match the immediate surround;
  5. Except for the area containing the first floor minstrels balcony remove all upper storey first floor central heating radiators and restore/repair any consequential damage with materials that match the immediate surrounding area;
  6. Remove all timber panelling in the snug in the main block west and restore/repair the underlying plaster walls with lime plaster to match the immediate surrounding area (highlighted in red on the enclosed Coach House Pinxton Floor Plan);
  7. Reinstate western staircase (marked 'D' on the enclosed Coach House Pinxton Floor Plan) to a design that replicates the previous staircase located in the Lobby; and,
  8. Remove all associated construction/restoration waste produced from the restoration of the Coach House from the site to an approved waste facility.
- The period for compliance with the requirements is 24 months.
  - The appeal is made on the grounds set out in section 39(1)(e), (g) and (h) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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## Decision

1. The appeal is allowed, the listed building enforcement notice is quashed, and listed building consent is granted for the retention of alterations/works at The Coach House, Brookhill Lane, Pinxton, Nottingham.

## Reasons

2. The main issue in the ground (e) appeal is the effect of the unauthorised alterations/works on the historic interest and significance of The Coach House, a Grade II listed building. The unauthorised alterations/works have had no effect on the exterior of The Coach House.

3. The unauthorised alteration of greatest significance is contravention a); contraventions c), d) and e) flow from the insertion of the floor. The Council is not seeking any remedy to contraventions f), g), h), k), l), m) or n) and neither are they seeking the removal of the stone fireplace that is referred to in contravention i). They are, in this regard, under enforcing.

4. The Coach House, formerly a stable block to Brookhill Hall which is nearby to the south, was built in the early 19<sup>th</sup> century and was converted to a house in the 1970s. The building has a central three storey single bay tower with flanking two storey three bay wings. The listing description refers to details of the exterior fabric of the building and does not mention the interior other than to say that this is 'all C20'. But a listing description is not exhaustive and the Council maintains that "The historical significance of The Coach House relates to the Coke family who owned the Brookhill Hall estate for 300 years up to circa 1950".

5. The last owner was Roger Coke who inherited the estate at the age of two when his father was killed in 1914 at the Battle of Ypres. His teenage interest in music was supported by his mother who, for his 21<sup>st</sup> birthday, had the three bay east wing of the stable block converted to a double height concert room with a deep minstrels gallery. Roger Coke suffered from depression and in the isolation of his concert room he composed a number of piano and orchestral works. These were performed around Britain and occasionally broadcast. The Council claims that Sergei Rachmaninov, the Russian composer, attended performances at the concert room but this claim is uncorroborated by any evidence.

6. The listing description refers to the wings having two stories and the first floor of the east wing was partly removed to create the concert room in 1933; the part that was retained was the minstrels gallery. The interior of the building was inspected prior to listing in 1966, because it was established that this was 'all C20', but the concert room was not regarded at that time to be of historical significance. The existence of the concert room after 1933 is documented because, as stated by the Council, "There is surviving footage of Coke playing the piano in the concert room". The concert room was clearly significant to Roger Coke but when he died the significance of the room passed away also.

7. The principal purpose of the concert room was to provide a safe haven for Roger Coke and a place where he could pursue his passion for music. The music that he composed in the concert room lives to this day. Simon Callaghan, a concert pianist, has championed and performed Roger Coke's music in recent years and has recorded several CDs of Coke's music that include cello sonatas, violin sonatas, preludes and variations for the piano, and three piano concertos.

8. The insertion of a first floor in the former concert room reinstates the floor that existed for about 200 years before the concert room was created in 1933. The concert room was no longer in use as a concert room after Roger Coke died, the form and his use of the room is well documented, and the music that he composed in the room lives to this day. The insertion of the first floor has not affected the historic significance of The Coach House. Nor has the subdivision of the first floor of the east wing of the building to create two bedrooms, two bathrooms and a corridor, or the insertion of two doorways in the north wall of the east wing even though this has resulted in the loss of original fabric.

9. The other unauthorised works that the Council are seeking to remedy must be considered in the context of the works that were approved in the 1970s for the conversion of the stable block to a dwelling. Though some original features of the building have been retained and original brickwork is exposed the interior of the building is modern. Furthermore, the Council has not substantiated their claim that "...evidently the internal works to the snug (and) the complete loss of the western staircase...have together diminished the building's historic significance...". Neither these works nor the installation of a large brick fireplace in the ground floor of the former concert room, given the context of the building's 20<sup>th</sup> century interior, have had any effect on the historic interest and significance of The Coach House.

10. The unauthorised works that are the subjects of the listed building enforcement notice have not affected the historic interest or significance of The Coach House. Paragraphs 195 and 196 of the National Planning Policy Framework are not therefore engaged and the works that have been carried out do not conflict with policies in the Development Plan.

11. The unauthorised works have not affected the historic interest or significance of The Coach House, the ground (e) appeal thus succeeds, and listed building consent has been granted for the retention of alterations/works at The Coach House, Brookhill Lane, Pinxton, Nottingham. The ground (g) and (h) appeals do not need to be considered.

***John Braithwaite***

Inspector