



Appeal Decision

Site visit made on 4 May 2021

by Philip Willmer BSc Dip Arch RIBA

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

Decision date: 14 June 2021

Appeal Ref: APP/B1415/Y/20/3271561

Bannow Retirement Home, Quarry Hill, St Leonards-on-Sea, East Sussex, TN38 0HG.

- 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 Dr. Sumoreeah against the decision of Hastings Borough Council.
 - The application Ref HS/LB/19/00841, dated 15 October 2019, was refused by notice dated 14 February 2020.
 - The works proposed are internal alterations.
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposed works on the special architectural and historic interest of Bannow Retirement Home listed grade II.

Reasons

3. The property the subject of this appeal, Bannow Retirement Home, was designed by Richard Norman Shaw RA and is listed grade II. According to the list description the building was designed as a private residence and was probably built between 1877 and 1879. In my view, its special architectural and historic interest relates its architect and to the history of its design and design detailing along with the sense of space and proportion of the principal rooms.
4. The appellant proposes internal alterations only to form a new office/interview room at ground floor level and alterations at first and second floor level to convert two large ensuite bedrooms to four, small single ensuite bedrooms.

Glass partition-ground floor

5. The appellant proposes the installation of a glass partition within the entrance lobby to form a new office/interview room on the ground floor.
6. The Council have indicated that it finds, subject to any necessary fixings, in particular to the floor being reversible, its installation would cause negligible harm to the heritage asset.
7. From what I have seen and read I have no reason to conclude otherwise as the glass screen will not denude the space to any significant extent.

8. Subject therefore to the imposition of a condition in respect of the fixing of the screen, so that the screen can be installed without harm to any features of special architectural and historic interest which the building possesses I would agree with the Council's finding in this respect of this element of the proposal.
9. As I understand that listed building consent has recently been granted for this element of the proposal (Reference HS/LB/21/00119) I will not consider this part of the appeal further.

Alterations at first and second floor level

10. The appellant proposes substantive works to two existing large single bedrooms and their on-suite bathrooms, one at first and the other at second floor level (rooms numbered 3 and 13). The works would result in the formation of two additional small single bedrooms with ensuite-bathrooms (indicated as rooms numbers 3A and 13A on the plans).
11. In addition to subdividing the existing rooms by the erection of new partitions and installing new services and fittings, the demolition of existing walls, relocating access doors from the first and second floor landings together with the removal of existing bathrooms and services is proposed.
12. I appreciate that this building may have been subject to any number of previous alterations over the years to meet the needs of previous occupiers. However, based on the application drawings and details, it is not evident if or how the works would impact on the surviving fabric and the original plan layout and routes of circulation etc. Nevertheless, it is clear, that at the very least, the plan form of two existing well proportioned, light and airy rooms would be significantly denuded.
13. Furthermore, the drawings before me are small scale and limited to plans only. They do not in my opinion either illustrate or describe the works proposed adequately. Were listed building consent to be granted, it would be impossible for a contractor to (a) know from the drawings what precisely had been permitted or, (b) carry out the works without potentially adversely harming the integrity of the listed building.
14. Accordingly, I find that to consider the proposed alterations without detailed drawings or an adequate specification would be to disregard the duties imposed by Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as reflected in the Guidance in the National Planning Policy Framework (the Framework).
15. I therefore consider that overall, the proposed works at first and second floor level would compromise the spatial character and proportions of two rooms of some significance and would be likely to harm the architectural integrity of the building as well as result in the potential loss/damage of historic fabric. The proposed works would therefore cause harm to the special architectural and historic interest of the building listed grade II. In reaching this conclusion I am aware that other rooms at first and second floor level have been similarly divided in the past. However, I do not consider this to be justification for the works now proposed.
16. The Framework requires great weight to be given to the conservation of designated heritage assets, which include listed buildings. It draws a distinction between substantial harm and less than substantial harm to such an

asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.

17. The Council states and I do not disagree that existing use of the building as a care home for the elderly with dementia is in the public interest. The change of use of the two existing bedrooms as proposed to provide two additional bedrooms would, I have no doubt, provide some economic benefit and much needed additional funding for the home.
18. However, based on the very limited evidence provided I am not convinced that the replacement of two larger well-appointed rooms with four small rooms as proposed alone would secure the long-term viability of the home.
19. Accordingly, given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict with the Framework and Policy HN1 of the Hastings Local Plan - Development Management Plan (Adopted 23 September 2015) as they relate to the duties imposed by section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or any features of special architectural or historic interest which it possesses.

Conclusions

20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Philip Willmer

INSPECTOR