



Appeal Decisions

Site visit made on 1 June 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 July 2021

Appeal A Ref: APP/D1265/W/21/3270132

Eastbury House, Long Street, Sherborne DT9 3BZ

- 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 Vijaykumar Kandiah (Eastbury House Sherborne Ltd) against the decision of Dorset Council.
 - The application Ref WD/D/20/001983, dated 19 August 2020, was refused by notice dated 15 January 2021.
 - The development proposed is the extension of the residential care home with a conservatory on the west elevation.
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Appeal B Ref: APP/D1265/Y/21/3268110

Eastbury House, Long Street, Sherborne DT9 3BZ

- 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 Vijaykumar Kandiah (Eastbury House Sherborne Ltd) against the decision of Dorset Council.
 - The application Ref WD/D/20/001984, dated 19 August 2020, was refused by notice dated 15 January 2021.
 - The works proposed are the extension of the residential care home with a conservatory on the west elevation.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The proposed development and works relate to a listed building located within a conservation area, and I shall therefore have special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. Both appeals relate to the same site, and I shall consider the Council's decisions to refuse planning permission and listed building consent in a single document, given their similarities, and in the interests of brevity.

Main Issue

5. The main issue is whether the proposed development and works would preserve the significance of the Grade II listed building known as Eastbury

House, and preserve or enhance the character or appearance of the Sherborne Conservation Area.

Reasons

6. Located within the Sherborne Conservation Area, the appeal site comprises a Grade II listed building, which is believed to have been constructed as a private residence in the late 17th or early 18th century. The numerous alterations and extensions reflect the subsequent phases of development which the building has undergone over time. Eastbury House has previously been in use as a hotel and currently operates as a residential home for adults over the age of 65 requiring nursing or personal care.
7. The significance of this Grade II listed building firstly resides in its historic interest, having regard to the surviving fabric and ability to appreciate its original plan-form. The building is characterised by its U-shaped plan, comprising the main elevation fronting Long Street and two rear ranges extending northwards.
8. Eastbury House also holds significant architectural interest, which notably derives from the hierarchy of its design. The elegant and polite façade fronting Long Street is clearly defined by the strong symmetry of its detailing, which includes a central stone doorway with Tuscan half-round pilasters, flanked by large sash windows at ground and first floor levels. The stone plinth and chamfered quoins and gable ends with stone parapet copings, as well as the prominent gable chimney stacks, add to the overall composition of the listed property.
9. The remaining elevations are more functional and vernacular in appearance, having particular regard to the scale of the additions and use of materials, and show the building has evolved over time. Whilst some of these elements may not constitute original fabric, they nevertheless make an important contribution to the special interest of the listed property.
10. Furthermore, the high stone boundary wall with rubble capping, which extends to the west of the building along Long Street and up St Swithin's Road give the garden a pleasant sense of enclosure. The wall, together with the spacious landscaped garden which extends in the western part of the site, forms an important part of the building's setting.
11. The listing description refers to the group value which Eastbury House holds collectively with other nearby listed buildings. This indicates that the significance of the appeal building also derives from the contribution it makes to the townscape, and the Sherborne Conservation Area as a whole, which is characterised by its rich collection of historic buildings reflecting the progressive development of the settlement.
12. The appeal scheme entails the construction of a conservatory to the western elevation, with a double pitched roof profile to ensure that existing first floor windows are not obstructed. However, by virtue of its size and design, the proposed addition would appear as a discordant and overly complicated built form, which would harmfully detract from the simpler and functional appearance of the western range, but also the horizontal emphasis of this elevation.

13. Furthermore, the conservatory would protrude beyond the flank of the main part of the building and disrupt the historic plan form which characterises Eastbury House. To my mind, this would erode the ability to appreciate the historic and architectural special interest of this designated heritage asset.
14. The conservatory would be partially screened by the boundary wall, but the roof of the structure in particular would remain visible within the street scene, and the addition would also be noticeable from neighbouring properties. Furthermore, it is of note that listed buildings are safeguarded for their inherent architectural and historic interest, irrespective of whether public views of the proposed scheme can be obtained.
15. Despite the use of sympathetic materials, the proposed development and works would therefore, for the reasons given above, fail to preserve the significance of the Grade II listed building. As Eastbury House makes an important contribution to the character and appearance of the Sherborne Conservation Area, it follows that the appeal scheme would also cause harm to this designated heritage asset.
16. The magnitude of the harm resulting from the proposed development and works would be less than substantial, to which I ascribe considerable importance and weight. In such circumstances, paragraph 196 of the National Planning Policy Framework (the Framework) states that the harm should be weighed against the public benefits of the proposal.
17. The appeal scheme would provide additional space for residents to socialise, and spend time with visitors or family members, and there would also be benefits for the mental health of the residents. However, there is limited information before me which suggests that such benefits could not be achieved by other means. In the absence of substantive evidence to the contrary, I find no reasons to believe that the continued occupation of the listed building is dependent on the construction of the conservatory. Overall, the harm identified would not be outweighed by the presented public benefits, including securing the optimum viable use of the designated heritage asset.
18. The proposal would fail to preserve the significance of the Grade II listed building and the character and appearance of the Sherborne Conservation Area. Accordingly, it would conflict with Policies ENV4 and ENV12 of the West Dorset, Weymouth and Portland Local Plan (Adopted October 2015), and section 16 of the Framework. Amongst other things, these require proposals to conserve and where appropriate enhance the significance of designated heritage assets.

Conclusion

19. No concerns have been raised by the Council regarding other aspects of other works shown on the plans, having particular regard to the conversion of a meeting room into accommodation for a resident, and there are no reasons for me to reach an alternative view. However, whether to issue a split decision is a matter for the Inspector and in view of the difficulties to clearly separate the different elements of the appeal scheme, I have decided not to pursue this course of action which, moreover, has not been requested by the appellant.
20. For the reasons detailed above, and having regard to all other matters raised, there are no considerations which indicate, in this instance, that the appeals

should be determined, other than in accordance with the development plan. I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR