



Appeal Decisions

Site Visit made on 8 July 2021

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2021

Appeal A Ref: APP/Z1510/W/20/3260894

Abbotts Hall, Rowley Hill, Sturmer, CB9 7XH

- 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 Darren Spencer Ahmet against the decision of Braintree District Council.
 - The application Ref 20/00396/HH, dated 28 February 2020, was refused by notice dated 17 July 2020.
 - The development proposed is: Replacement of the existing conservatory with an orangery and the replacement of doors and surrounds, windows, skirting, flooring, a staircase, banisters to main staircase and the fitting of bathrooms and kitchen.
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Appeal B Ref: APP/Z1510/Y/20/3260899

Abbotts Hall, Rowley Hill, Sturmer, CB9 7XH

- 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 Darren Spencer Ahmet against the decision of Braintree District Council. The application Ref 20/00397/LBC, dated 28 February 2020, was refused by notice dated 17 July 2020.
 - The demolition proposed is: Replacement of the existing conservatory with an orangery and the replacement of doors and surrounds, windows, skirting, flooring, a staircase, banisters to main staircase and the fitting of bathrooms and kitchen.
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Decision

Appeal A

1. The appeal is allowed insofar as it relates to external side door and window, external door, windows W17, W18, W19, W20, W22, W23 and W32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor building works. Planning permission is granted for external side door and window, external door, windows W17, W18, W19, W20, W22, W23 and W32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor buildings works at Abbotts Hall, Rowley Hill, Sturmer, CB9 7XH in accordance with the terms of the application, Ref 20/00396/HH, dated 28 February 2020, subject to the conditions appended to this decision.
2. The appeal is dismissed insofar as it related to orangery, the replacement of doors and surrounds, skirting, entrance flooring including well display and the fitting of bathrooms and kitchen.

Appeal B

3. The appeal is allowed insofar as it relates to external side door and window, external door, windows W17, W18, W19, W20, W22, W23 and W32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor building works. Listed building consent is granted for external side door and window, external door, windows W17, W18, W19, W20, W22, W23 and W32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor building works at Abbotts Hall, Rowley Hill, Sturmer, CB9 7XH in accordance with the terms of the application, Ref 20/00397/HH, dated 28 February 2020, subject to the conditions appended to this decision.
4. The appeal is dismissed insofar as it relates to orangery, the replacement of doors and surrounds, skirting, entrance flooring including well display and the fitting of bathrooms and kitchen, and listed building consent is refused.

Preliminary Matters

5. There are two appeals before me. However, to avoid duplication my reasoning has considered them together where appropriate.
6. The appeal before me includes some works that have already been carried out. Nonetheless, I have considered each element on its own merits, irrespective of whether the permission or consent is retrospective or not.
7. The details and written evidence before me include reference to items not included in the description of development. During the appeal the appellant confirmed that all the items shown on the drawings are to be included in the appeal although it was argued that not all those items require formal permission or consent.
8. Having reviewed the evidence I have concluded that all works affecting the historic interior and fabric of Abbotts Hall should be included in my reasoning. This is in line with the statutory duties as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require the decision maker to have special regard to special architectural interest or historic character in relation to heritage assets. This is also irrespective of whether Place Services or the Council had agreed to the retention of those items, their replacement or removal. In any case, I am able to consider the applications as if they had been made to me in the first instance.
9. The adopted Local Plan 2005 (LP) is of some age. However, LP Policy RLP100 is consistent with the National Planning Policy Framework (the Framework) and there is nothing before me to indicate that it should be considered to be out-of-date. As such I give that policy full weight. Policy LPP60 of the Draft Local Plan 2017 (DLP) is also consistent with the Framework. However, although this plan has passed through the examination stage it has yet to be formally adopted. I give DLP Policy LPP60 substantial rather than full weight.
10. There is inconsistency in the evidence before me. The windows detail drawing¹ shows proposed works to Window 21 (W21). However, the elevations indicate that W21 is a dummy window. I conclude that the windows detail drawing should refer to Window 22 (W22) rather than W21.

¹ Dwg. No 102318.07 Rev A

11. There is an internal door, ID09 shown on the joinery details drawing². I am unable to find this door on the proposed floor plan and having reviewed the orangery details have concluded that these details should refer to door ID08.
12. Reference was made in the evidence to Savills sales particulars dating from 2010. I requested the entire document during the appeal. This was provided by the Council and the appellant was given an opportunity to comment.

Main Issue

13. The main issue is whether the development would preserve the Grade II listed building of Abbots Hall, or any features of special architectural interest and/or historic character that it possesses, including its setting (Appeals A and B).

Reasons

Listed building

14. Abbots Hall (the Hall) is a charming white rendered late Georgian residence situated on slightly elevated ground on the edge of the small village of Sturmer. It is believed to have been built around 1832 by a prominent local family, who lived in the Hall continuously until 1948.
15. The Hall is built in a half H-plan with a central recessed front porch and part-glazed double doors framed by plain pilasters and architrave. Above the front entrance, double part-glazed doors open onto a recessed balcony with ornamental cast iron railings. To each side there is one double hung sash window on each floor, stucco moulded architraves and cornice heads to the ground floor windows only. There is a hipped slate roof with two groups of octagonal chimneys. On the eastern elevation there are two double hung sash windows and one similar dummy window on each floor, and to the west the side elevation abuts a small courtyard lined with outbuildings. To the rear, a 20th century hipped glazed conservatory sits within the two side wings.
16. The evidence before me indicates that the estate formerly included a farm of 125 acres, barns and a cottage as well as a large rear garden.
17. Externally the Hall presents as a largely unaltered period country residence with a high degree of architectural consistency, symmetry and coherence. It has an understated charm, with elegant proportions and modest detailing.
18. Internally the Hall has been subject to considerable refurbishment works which are the subject of the appeal. Although most of the internal layout appears to be intact, there are two areas where there appear to have alterations to the layout since 2010, namely to the rear of the kitchen and an area on the first floor near the master bedroom.
19. Recent works also have included the removal and replacement of some first floor windows, internal doors and casing, skirting and other joinery, bathroom and kitchen refurbishment, entrance hall flooring and the main staircase. Some original features appear to remain in some of the rooms, including plaster work on ceilings and cornices, skirtings, fireplaces and shutters. However, other features including a back staircase, walk-in kitchen larder and other partitions, dado rails and ornamental plaster work have been removed and have not been replaced.

² Dwg. No 102318.09 Rev A

20. The 1948 and 2010 sales particulars, as well as one undated and intermediate sales document, contain useful photographs and brief descriptions which pre-date the current works. However, these particulars are not comprehensive and give only a very limited insight into the extent to which original fabric existed prior to the recent works. Nonetheless, taken together the sales particulars refer to a fine Grade II listed dwelling, a highly desirable Georgian Style residence, elegantly proportioned rooms and staircase. Even allowing for estate agent hyperbole, these descriptions suggest that internally the Hall's historic features and notable period character was a distinct selling point and that its period character remained largely intact as recently as 2010.
21. The 2010 sales particulars show a modernised but comfortable family dwelling. The main entrance hall and staircase, rear sitting room, main bedroom, master bathroom and kitchen, had a style which was largely sympathetic to the Hall's Georgian origins. The photographs also indicate that the Hall had retained an underlying framework of original features including plaster moulding, doors, dado rails and skirtings, and a charming formal entrance hall and staircase with a stone flagged floor. I see no reason to conclude that other rooms did not have similar original features.
22. The 2010 layout also shows a clear distinction between the large formal rooms situated off the L-shaped entrance hall and long staircase, and a series of smaller rooms with a separate back staircase labelled as the domestic offices in the 1948 particulars. These smaller rooms abut and have direct access to the courtyard and its outbuildings, demonstrating a clear functional and socio-economic link between the Hall's formal areas and the service areas used by the staff. This layout would have had evidential and historic value as it demonstrated the social stratification within the Hall, as well as the extent of rooms required to enable ancillary functions which underpinned the running of the Hall and its associated estate in its heyday.
23. On the first floor a former bathroom has been removed and its door blocked up. This room is now accessed through a new door from the master bedroom, and labelled as a dressing room. From the evidence before me it is difficult to attribute any significance to the original room layout, but it remains that historic fabric has been removed.

Significance

24. I conclude that the Hall has considerable historic and evidential value arising from its historic links with a prominent local family and its contribution to the local rural economy. Until the current works were undertaken, and on the basis of what is before me, I conclude that it also had considerable historic and evidential value arising from the significantly intact layout and internal features. This allowed an appreciation as a country Georgian villa.

Proposals and Effects

25. Given the extent of the works and the evidence before me, it is very difficult to ascertain the age and authenticity of the historic fabric that has been removed. It is also apparent that the heritage statement which accompanies this application is unclear as to the details and extent of the removal of former historic features. Consequently, my reasoning is based on such documentation as there is and the appropriateness of the layout and fittings that I observed at

my visit. Where there is little or no evidence to enable me to reach a reasoned conclusion, I have stated as such.

26. For clarity I will address each of the proposed works in turn. For completeness I have considered each item shown on the proposed plans and elevations.

External Kitchen Door (ED05), glazed door (ID08) and Window W12³

27. The fully glazed kitchen door opening on to the courtyard shown on the 2010 particulars is multi-paned. The adjoining window appears to be deeper than what is now proposed. The evidence suggests that neither is original.
28. The proposed part-glazed door would combine a multi-paned upper portion with a single recessed panel on its lower section. I appreciate that there is no evidence that this would replicate a semi-glazed Georgian door. However, each leaf of the original French doors seen at the Hall has a single recessed bottom panel. I am satisfied in this setting the proposed door would not detract significantly from the overall appreciation of the Hall. Nor would it replace or damage existing historic fabric.
29. Similarly, the kitchen window (W12) replaces a previous addition and/or alteration to the opening. The individual panes appear to be proportionate to the original windows at the Hall and I see no reason why this window should detract from the Hall's significance.
30. The door linking the orangery with the entrance hall (ID08) would be similar in appearance to the proposed external kitchen door. Although there was an outer door in this location shown on the 1948 particulars, its appearance cannot be seen. The proposed door would be visible at the end of the formal entrance hall and the entrance door itself is glazed. As such, I see no particular harm to be attached to installing a part of fully glazed door in this location. My observations regarding its design are as set above for the external kitchen door.
31. The use of appropriate glazing, which is not mentioned on the drawing, could be controlled by condition.

Windows

32. There is a pleasing symmetry and consistency to the arrangement and style of the windows, particularly on the Hall's front, north-eastern side and rear elevations. The fine glazing bars and the reduced reflectivity and imperfections inherent in the glazing make a highly positive contribution to the appreciation of the Hall's design and its original detailing, both internally and externally.
33. Some of the first floor windows have been replaced with double-hung sashes with double glazed units, including new weights. These are high quality joinery although I noticed that even where there are new sashes, some of the external timber surrounds and frames are in very poor condition.
34. The application suggests replacing the double glazed units with single glazed double hung sashes, to replicate the style and form of the retained and original single glazed windows. The Council has not raised a concern to this proposal in principle and I see no reason to disagree as this would replicate, to some

³ Dwg. No 102318.09 Rev A

extent, the historic fabric that has been lost. The glazing could be addressed by condition.

35. Some of the other windows are in a poor state of repair and decorative condition. In order to ensure that further historic fabric is not lost, which would cause further harm to the significance of the Hall, it would be necessary to impose a condition requiring a condition survey with proposed works for each window, before replacement works go ahead.

Ionic columns

36. The appellant proposes to replace the two missing columns from the front entrance. I see no reason to disagree with this proposal as photographic evidence demonstrates that they were a feature of the front elevation as recently as 2010. In order to ensure that the replica columns are appropriate to the host dwelling and maintain its significance, it would be necessary to impose a condition requiring that the Council approves drawn details before the fabrication and installation of the columns. This would restore the appearance of the original entrance porch and would support the Hall's heritage significance.

Secondary staircase

37. A back staircase is mentioned and shown in plan form in the 2010 particulars. The proposals include the reinstatement of a simple timber dog-legged staircase accessed from the kitchen, in what appears to be the same location as the original. There is limited evidence before me to enable me to ascertain what was there previously, but I see no reason to find harm in relation to the reinstatement of the staircase and associated doors to staircase and understairs cupboard.
38. The baluster and spindles would be appropriately simple in profile and the layout would reflect what is shown on the 2010 particulars. This would not restore the historic fabric that has been lost but it would replace and replicate some extent, some of the original features and details. It would also partially restore the layout associated with the servants' working and domestic accommodation. This would have been integral to the running of the house and its associated land. I see no reason in principle why this should be detrimental to the Hall's significance.
39. However, given the concerns I have outlined below with regard to the proposed replacement doors a condition to ensure that the doors are appropriately proportioned would be necessary.

Entrance Hall - Main Staircase

40. In 2010 the entrance hall contained a white painted staircase with elegant white painted spindles supporting a swept polished hardwood handrail, a dado rail and white painted skirtings.
41. Although the heritage statement notes that only the spindles and handrail have been removed and replaced, the current staircase is unpainted and did not appear to be have been stripped. I concluded that it had been replaced.
42. The current unpainted spindles are significantly thicker than the original woodwork, and give the staircase a very heavy appearance. This is

incongruous in this setting and the combination of the timber profiles, the spindle spacing and its unpainted appearance significantly detracts from the appreciation of the entrance hall.

43. The appellant proposes to paint the staircase white and the Council has not raised a concern in this regard. The 2017 photographs taken by the Council appear to show tread end mouldings in place, and these are shown on the drawings. The spindles and handrail would be replaced to match the design and appearance of those shown in the 2010 photograph.
44. However, whilst this would be a satisfactory approach it is clear that the end spindle at the bottom of the original staircase was turned, rather than a simple square section. If the aim is to reproduce the original it seems appropriate to require that the proposed replacements also have a turned spindle at the end. For this reason, a condition requiring the drawings to be amended and resubmitted for approval to ensure that the staircase details are as close to the original as can be ascertained would be necessary. Although the original fabric has been lost, this would go some way towards restoring the hall's original character and appearance.

Architraves

45. The replacement architraves appear to be very similar to that found around the front entrance door and which it is presumed is original. Although the removal of the originals represents a loss of historic fabric the profiles proposed, if painted, would provide some mitigation for that loss.

Other joinery and minor building works

46. The drawings include proposals for built-in cupboards and shelving in the breakfast room and sitting room. The 2010 floor plan shows cupboards in these locations. The cupboards would have panelled doors and all the woodwork would be painted white. There is nothing before me to suggest that these works would cause harm to the heritage significance of the Hall's interior.
47. The study wall panelling was installed prior to the current refurbishment. The study panelling is warped and is to be removed. However, it is unclear how the walls would then be finished. As such, a condition requiring proposals for the wall finishes to be submitted and approved in writing by the Council would be required.
48. Some of the storerooms appear to have been partly dry-lined and insulated. The proposals indicate that this is to be removed. The removal of recent works will have a neutral effect on the Hall's heritage significance and a condition could ensure that walls were suitably finished after their removal.

Hall flooring and the well

49. The 2010 photograph shows what appears to be a worn and partly cracked random limestone stone floor with a sawn and polished finish. The apparent wear of the limestone suggests that the floor was of some age before its removal. The undated particulars refer to a stone tiled floor.
50. The current flooring appears to be very large slabs of polished marble, very similar to that found lining the walls and floor of the master bathroom. It has almost no surface texture and very little colour or pattern. As such it lacks

character and appears entirely modern and incongruous in this context. It also significantly detracts from the overall appreciation of the entrance hall.

51. I appreciate that marble was used for Georgian flooring but in the example shown this is laid as much smaller pieces and forms a mosaic. The laying pattern and jointing form part of the overall decorative effect. The slabs in the hall are so large it is difficult to see the joints at all.
52. I appreciate that there is no firm evidence that the stone flooring shown on the 2010 photograph was original, but the apparent wear pattern could only have developed over a considerable period of time. I have concluded that the stone flooring was of some age if not original, and I see no reason why a similar flooring could not be laid to restore the hall's former character.
53. A well has been uncovered inside the hall, to one side of the entrance door. This has been lined with a circular brick soldier course and topped with glazing. This does have historic interest. However, the circular brick course edging does not appear to be original and the glass cover makes a feature where there should be none.
54. The heritage value and significance of a formal and understated Georgian entrance hall is greater than the historic value of having the well on display. In any case, having been uncovered I see no reason why the recent brickwork could not be altered to ensure the well remains structurally viable and accessible, but not on display.

Internal doors and casing

55. The 2010 particulars show two internal panelled doors that appear to be original⁴. The bedroom door appears to have very similar proportions to the '1812 Hants' door highlighted in the evidence and I see no reason why the original doors to other principal rooms within the Hall would not have similar proportions or appearance.
56. The '1812 Hants' door has different proportions from the replacement doors, in that the lock rail is significantly broader than the bottom rail. Furthermore, although it is difficult to see the profile of the recessed panel in the bedroom door photograph, the 'c1835' profile shown in the heritage statement has a slight upstand which is missing from the profile shown on the joinery details. The replacement doors appeared to have machined and swept panel profiles rather than the profile shown in the drawings.
57. The disproportionality of the panelling, the undersized lock rail and distinctly modern panel profile leads me to conclude that painting the doors white and refitting the door furniture in line with the lock rail would not be sufficient to render these doors an acceptable replacement for the originals.
58. The appellant states that there were some original doors, but it is unclear whether they have been used to inform the design of the replacements. The stored door in the photograph has flat panels.
59. The approval of a new door for the breakfast room in 1997 weighs neither for nor against the appeals. It was approved in a different planning and legislative

⁴ Bedroom, north-east sitting room (partial)

context and all appeals are considered on their own merits. It does not appear to be similar to the replacement oak doors.

Orangery

60. The existing conservatory is a poor quality 20th century addition which sits within the central recessed bay of the rear elevation. The 1948 sales particulars show a swept metal canopy within this recess, accessed by a door to the rear of the entrance hall. There is a smaller swept canopy supported by fretwork columns over French doors leading from the rear sitting room. These canopies have now been removed. It is unclear whether the canopies were original or a sympathetic addition.
61. In principle I see no reason why a replacement conservatory should necessarily detract from the Hall's significance, particularly as there have previously been features in this rear recess. A modern structure would clearly read as an addition. However, the proposed orangery would project beyond the side wings of the Hall by about 1.5 metres. Its scale and detailing, particularly the lantern roof, would also appear disproportionately large and fussy in comparison with the understated scale and far plainer styling of the Hall's rear elevation. As such it would be an overly dominant feature and focal point on the Hall's rear elevation, detracting from the underlying typology of the host building. This would be detrimental to the Hall's heritage significance.

Skirtings and dado rail

62. The original Georgian skirtings appear to have been removed from the first floor landing, corridors and hall, along with the dado rails. The skirtings in the corridors have been replaced with skirtings that have a distinctly different profile from that that I observed in the rooms. The Council's evidence suggests that the profile of the replacement is Victorian rather than Georgian and I see no reason to disagree. The profile of the 'c1870 Glos' skirting given in the appellant's evidence is more subtle than what has been installed. Painting the replacement skirting will not mitigate the harm done by the removal of the original skirting.
63. The dado rails have not been replaced where removed and there appears to be no intention to do so.

Bathrooms and wc

64. The 2010 sales particulars show the former layout of the bathrooms. They also include a photograph of the master bathroom which appears to have a limestone floor similar to that in the entrance hall, a roll top bath and dado rail. It is also apparent that this bathroom had a fairly substantial ornamental plaster cornice which appears from the photographs to be very similar to that in the adjoining master bedroom. I have no reason to conclude this was not original.
65. The current master bathroom has been stripped of the cornice and dado, and the walls and floor are lined with polished marble slabs. The proposals plan indicates that the covings and skirtings are to be retained, but this does not appear to be the case. As such, the proposals plan is inaccurate.
66. Notwithstanding that bathrooms can change more frequently than other rooms, it is apparent that some historic fabric which contributed to the underlying

appreciation of the Hall has been removed in order to accommodate the bathrooms.

67. The family bathroom and the bathroom to the rear of bedroom 5, which replaced a dressing room have a relatively muted design which is appropriate in this setting. The family bathroom has retained what appears to be some original plasterwork. However, the bathroom to bedroom 5 appears to have a false ceiling and it is unclear to me whether this has been carried out as part of the current works.
68. Other bathrooms are overtly modern and incongruous in this setting.
69. I conclude that the drawings are basic, in some cases inconsistent and there is scant information to indicate the extent to which historic fabric has been removed. On the basis of what is before me I am unable to conclude that taken as a whole the treatment of the bathrooms is either appropriate or represents a compromise between modern living and the retention of features that contribute to the Hall's significance. I appreciate that the Council has lesser concerns in relation to the bathrooms, but I am aware that in allowing the appeals in this regard I would be regularising works on the basis of inadequate and incomplete information.

Kitchen

70. In 2010 the kitchen had a large Aga style cooker within what appears to be the original chimney surround, a central island and custom-built cupboards with a slab floor. Although it was a modern kitchen of its time and unlikely to bear much relation to the original kitchen, it was nonetheless sympathetic to its context. The chimney surround was the room's focal point, and it had bespoke cupboards which had a country house appearance. As far as I can ascertain the kitchen and nearby rooms had retained the original features and layout described in the 1948 sales particulars. These include a treble corner cupboard which is shown on the 2010 layout, as well as a 'scullery with a sink and a broom cupboard', and a 'lofty pantry', also with a sink and extensive cupboards. It seems very likely that the scullery is the long room to the rear, labelled as utility in 2010. As such my view is that the walk-in cupboard shown on the 2010 layout is the 'lofty pantry' of the 1948 particulars. It also seems likely that this is the walk-in larder referred to in the undated sales particulars.
71. The kitchen has been refitted and the walk-in cupboard accessed from the passage alongside the secondary staircase, as well as the treble-doored cupboard, have been removed.
72. The appellant argues that the accuracy of the layout shown in the 2010 layout cannot be guaranteed. However, I see no reason to presume that the underlying layout was particularly inaccurate. It is also argued that the 2010 partition between the scullery and the rear lobby to the courtyard entrance, subsequently removed, was a late 20th addition. However, there is no evidence to support this argument. A small lobby leading to the courtyard would not necessarily be considered a room worth listing on the 1948 particulars and as such the historic value of the partition is unclear.
73. Whilst I have no particular concerns with regard to the updating of the kitchen in principle, the removal of the walk-in cupboard, the treble-doored cupboards and the partitions, has destroyed the layout that provided the evidence of its

role as the Hall's service area, and therefore an appreciation of its functioning in this regard. Even if the secondary staircase is reinstated, without the opposing walk-in cupboard the staircase would appear stranded in the corner and would be a gesture rather than a meaningful attempt to restore the original service layout which was key to the internal functioning of the Hall. I am unclear why the reinstatement of these features would remove more historic fabric.

74. The kitchen refitting has also included marble flooring similar to that I observed in the entrance hall. The appellant argues that this will provide a coherent flooring style through the dwelling, but this appears to miss the significance underpinning the differences between the principal rooms and the service areas which would have reinforced the Hall's social stratification.

Lath and plaster

75. There is very little information before me with regard to whether any significant areas of original lath and plaster has been removed. The Council has not raised a concern in this regard and I see no reason to disagree.

Rainwater goods and soffits

76. It appears that the removal of original rainwater goods and their replacement with plastic occurred some time ago. It is beyond the remit of this appeal to require the reinstatement of cast iron rainwater goods that might reflect the age of the dwelling.

Original windows and shutters

77. Windows that have not yet been replaced are noted on the plans as being retained. However, some may require refurbishment works and in order to ensure historic fabric is not lost a condition requiring a survey to include all windows at the Hall, excluding only the proposed external kitchen window, would be necessary.

Retention of library panelling

78. The evidence before me indicates that the library was converted from a utility room after 1948. Any historic fabric is likely to have been lost some time and ago and retention of this 20th century panelling will have a neutral effect on the Hall's heritage significance.

Listed building - Conclusions

79. As set out above, I have reached different conclusions with regard to different elements of the works. I have also concluded that given the nature of the works, they are severable. As such it would be appropriate to issue a split decision.
80. Where original fabric appears to have been lost prior to the current refurbishment, and/or where the proposals before me would go some way towards restoring the original character of the house, albeit with replica or reproduction features, I have considered appropriate to allow the appeals for those elements. Works falling within this category include the external door and window, glazed rear door, the ionic columns, cupboards to the breakfast room and sitting room, replacement windows, reinstatement of the secondary staircase and works to remove and replace unsuitable elements of the main

staircase, the retention of architraves and the removal of linings or panelling in the storerooms and study.

81. Insofar as these works would replace lost features or removal inappropriate additions, they would support an appreciation of the heritage interest and significance of the Hall and thereby preserve the Grade II listed building and any features of special or architectural interest or historic character that it possesses. The works would be in accord with DLP Policy LPP60 which requires development not to harm the significance, character, structural stability and fabric of the building or structure or result in substantial harm or damage to buildings which are considered to be of significance or special importance. They would also comply with LP Policy RLP100 which has very similar provisions. These works would also comply with Sections 16 and 66 of the Act.
82. However, with regard to other works, namely the entrance hall floor, the well, the kitchen, bathrooms, most replacement doors and skirtings, and the orangery, I have found that the proposals would undermine the heritage interest and significance of the building and therefore fail to preserve the building or features of special or historic interest which it possesses, for the reasons given. These works would be contrary to the provisions of DLP Policy LPP60, LP Policy RLP100 and the Act. These works would amount to less than substantial harm to the significance of a listed building, and be contrary to provisions in Section 15 of the Framework.
83. Paragraph 194 of the Framework requires an applicant to describe the significance of any heritage assets affected by the proposed works. In this case it is apparent that the heritage statement has been compiled following the removal of a significant proportion of the Hall's original features. The authors of the heritage statement appear to have had very limited information. However, this does not alter my reasoning. The lack of evidence available to inform the heritage, planning and appeal statements cannot necessarily be used to justify the removal of historic features or the retention or installation of replacements which are clearly detrimental to the Hall's character and appreciation.

Other matters

84. The appellant advances the argument that many of the items that the Council requires to be changed were modern replacements installed prior to the current works. However, there is very limited evidence to support that argument. The conclusions I have drawn from the evidence available is that since 2010 the Hall has been subject to the systematic removal of original features as well as more modern elements that whilst potentially out of date, were nonetheless sympathetic to their context and did not detract from the Hall's overall character.
85. The Council first visited the site in the summer of 2017 and took photographs inside the Hall. It is unclear to me why the application was not submitted until February 2020. As I also experienced a delay in being able to access the Hall, I give no weight to the argument that the Council has prevaricated.
86. The degree of reliance on consultee reports is a matter for the Council, not for me. In any case, such concerns are outside the remit of this appeal and my reasoning is based on the evidence before me, including my own observations. Any perceived inconsistency between the content of discussions at a pre-

application site meeting and the written record are outside the remit of this appeal.

87. Even if the Hall could not be occupied during any remedial or additional works that may now be required, I see no reason why it could not have been occupied since 2017. Basic maintenance to prevent the incursion of wildlife and the establishment of invasive tree and weed species could have been ongoing even if the Hall was unoccupied.
88. It may be the case that the appellant was unaware of the legislation underpinning works to listed buildings, but this weighs neither for nor against the appeal. In any case, it seems highly unlikely that its listing would have not have been highlighted during the Hall's purchase.
89. I appreciate that some of the replacement works are of high quality but that is also insufficient reason to warrant their retention.

Conditions

90. I have had regard to the conditions suggested by the Council. I have imposed the standard time condition as well as a condition with a schedule of drawings relating to the approved work, for the avoidance of doubt.
91. I have also imposed conditions requiring the submission and approval of additional details where insufficient detail is shown on the drawings. This is to ensure that all works are appropriate and do not prejudice the Hall's historic or architectural merits.

Conclusions and Heritage Balance

92. Paragraph 199 of the Framework states that great weight should be given to an asset's conservation, irrespective of whether the potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
93. Paragraph 200 sets out that any harm to the significance of a heritage asset should require clear and convincing justification. Whilst I appreciate that the kitchen and bathrooms probably needed updating, there is very little or no justification before me for the removal of the Hall's historic features or layout. Moreover, Paragraph 196 of the Framework states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
94. The allowed works would go some way towards restoring the Hall's character and significance, which is of public benefit. However, the benefits arising from replicating and installing former historic features as set out above, would be modest. They would not justify or outweigh the harm that would ensue if the works detrimental to the Hall's heritage significance were given permission or consent. The Hall's overall appreciation is not derived from any single feature or features but on the coherence and consistency of its many constituent parts, including layout.
95. Whilst there would also be some public benefit arising from the Hall's reoccupation, there is nothing before me to indicate that the Hall would cease to be viable as a dwelling as a consequence of any of the works being refused permission or consent, or would necessarily fall into disuse. As such I give this argument limited weight.

Appeal A

96. In the light of the above I conclude that Appeal A is allowed insofar as it relates to external door and side window, external door, windows W17, W18, W19, W20, W22, W23 and W 32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor building works.
97. Appeal A is dismissed insofar as it relates to the orangery, internal doors and skirting, refitting of bathrooms and kitchen, entrance hall floor and retention of glazed well cover.

Appeal B

98. Appeal B is allowed insofar as it relates to external door and side window, external door, windows W17, W18, W19, W20, W22, W23 and W 32, ionic columns, secondary staircase, banisters to main staircase, architraves and other joinery and minor building works and listed building consent is granted.
99. Appeal B is dismissed insofar as it relates to the orangery, internal doors and skirting, refitting of bathrooms and kitchen, entrance hall floor and retention of glazed well cover. Listed building consent is refused.

A Edgington

INSPECTOR

APPEAL A - SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans:

Dwg. No 102318.01 Rev A – Proposed Renovation Works Floor Plans with regard to external door (ED05) and (W12), and external door (ID09), windows, architraves, ionic columns, secondary staircase, main staircase, joinery works to sitting room and breakfast room, removal of study panelling and removal of store room linings only.

Dwg. No 102318.02 Rev A – Proposed Renovation Works Elevations with regard to external door (ED05) and (W12), windows and ionic columns only.

Dwg. No 102318.04 Rev A – Main Staircase Detail in respect of all works except spindles.

Dwg. No 102318.05 Rev A – Servants Staircase Details

Dwg. No 102318.06 – Study panelling, with regard to all items shown except new skirting.

Dwg. No 102318.07 Rev A – Window Details

Dwg. No 102318.09 Rev A – Doors and Joinery Details with regard to the doors and window listed in Condition 3, and architraves only, and in respect of works shown except door handles and ironmongery.

Dwg. No 102318.10 – Sitting Room Cupboards and Shelving

Dwg. No 102318.11 – Breakfast Room Cupboards and Shelving, with regard to all items shown except the retention and painting of the skirting.

Dwg. No SJG2870 - Ground Floorplan

Dwg. No SJG2870 - First Floorplan
- 3) The development hereby permitted is for external door (ED05) and (W12), and external door (ID09), windows, architraves, ionic columns, secondary staircase, main staircase, joinery works to sitting room and breakfast room, removal of study panelling, and removal of store-room lining only.
- 4) Samples of glass to be used for all replacement glazing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) Prior to installation drawn details of the proposed replacement Ionic columns for the entrance porch, in section and elevation, at scales of between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details.
- 6) Prior to the start of works details of the spindles to the main staircase shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 7) Prior to installation, additional drawings that show details of proposed new external side door, by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 8) Prior to the start of any work additional drawings that show details of proposed balusters, newel posts, and hand rail for the main staircase, by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently be maintained as such.
- 9) Prior to the start of any work, additional drawings showing the proposed balusters, newel posts, treads, risers and hand rail for the replacement secondary staircase by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 10) Internal works shall not be commenced until a schedule of all new, internal surface materials, finishes and colours, including walls, ceilings and floors and a schedule of all internal and external joinery indicating the proposed finish and decoration to be used has been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 11) Prior to the start of work a condition survey and written method statement detailing the approach to the salvage, retention, reuse of the surviving box frames, original weights and other fabric for all windows, including the installation of new window elements, shall be submitted for written approval by the local planning authority. Any new replacement staff and parting beads damaged during removal should replicate the originals. All work shall be implemented in accordance with the approved details.
- 12) Prior to installation details of proposed ironmongery and door furniture shall be submitted submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

APPEAL B - SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following plans:

Dwg. No 102318.01 Rev A – Proposed Renovation Works Floor Plans with regard to external door (ED05) and (W12), and external door (ID09), windows, architraves, ionic columns, secondary staircase, main staircase, joinery works to sitting room and breakfast room, removal of study panelling, and removal of store-room linings only.

Dwg. No 102318.02 Rev A – Proposed Renovation Works Elevations with regard to external door (ED05) and (W12), windows and ionic columns only.

Dwg. No 102318.04 Rev A – Main Staircase Detail in respect of all works except spindles.

Dwg. No 102318.05 Rev A – Servants Staircase Details

Dwg. No 102318.06 – Study panelling, with regard to all items shown except new skirting.

Dwg. No 102318.07 Rev A – Window Details

Dwg. No 102318.09 Rev A – Doors and Joinery Details with regard to the doors and window listed in Condition 3, and architraves only, and in respect of works shown except door handles and ironmongery.

Dwg. No 102318.10 – Sitting Room Cupboards and Shelving

Dwg. No 102318.11 – Breakfast Room Cupboards and Shelving, with regard to all items shown except the retention and painting of the skirting.

Dwg. No SJG2870 - Ground Floorplan

Dwg. No SJG2870 - First Floorplan

- 3) The development hereby permitted is for external door (ED05) and (W12), and external door (ID09), windows, architraves, ionic columns, secondary staircase, main staircase, joinery works to sitting room and breakfast room, removal of study panelling, and removal of store-room lining only.
- 4) Samples of glass to be used for all replacement glazing shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 5) Prior to installation drawn details of the proposed replacement Ionic columns for the entrance porch, in section and elevation, at scales of between 1:20 and 1:1 as appropriate, shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details.
- 6) Prior to the start of works details of the spindles to the main staircase shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7) Prior to installation, additional drawings that show details of proposed new external side door, by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 8) Prior to the start of any work additional drawings that show details of proposed balusters, newel posts, and hand rail for the main staircase, by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning

authority. Works shall be implemented in accordance with the approved details and shall be permanently be maintained as such.

- 9) Prior to the start of any work, additional drawings showing the proposed balusters, newel posts, treads, risers and hand rail for the replacement secondary staircase by section and elevation at scales between 1:20 and 1:1 as appropriate, should be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 10) Internal works shall not be commenced until a schedule of all new, internal surface materials, finishes and colours, including walls, ceilings and floors and a schedule of all internal and external joinery indicating the proposed finish and decoration to be used has been submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.
- 11) Prior to the start of work a condition survey and written method statement detailing the approach to the salvage, retention, reuse of the surviving box frames, original weights and other fabric for all windows, including the installation of new window elements, shall be submitted for written approval by the local planning authority. Any new replacement staff and parting beads damaged during removal should replicate the originals. All work shall be implemented in accordance with the approved details.
- 12) Prior to installation details of proposed ironmongery and door furniture shall be submitted submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.