

Appeal Decisions

Site visit made on 13 September 2021

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2021

Appeal A Ref: APP/D1265/W/21/3276218

Stapleford House, 8 Gold Street, Stalbridge DT10 2LX

- 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 Reverend and Mrs G Hitchins against the decision of Dorset Council.
 - The application Ref 2/2020/1014/HOUSE, dated 22 July 2020, was refused by notice dated 19 March 2021.
 - The development proposed is garden room.
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Appeal B Ref: APP/D1265/Y/21/3276224

Stapleford House, 8 Gold Street, Stalbridge DT10 2LX

- 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 Reverend and Mrs G Hitchins against the decision of Dorset Council.
 - The application Ref 2/2020/1015/LBC, dated 22 July 2020, was refused by notice dated 19 March 2021.
 - The works proposed are garden room.
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Decisions

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

Preliminary Matters

3. The revised National Planning Policy Framework (the Framework) published on 20 July 2021 sets out the Government's planning policies for England. Policies within the Framework are material considerations which should be taken into account for the purposes of decision-making from the date of its publication. The parties were given the opportunity to comment on this matter, and I have had regard to the updated Framework in determining this appeal.
 4. The proposed development and works would affect 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).
 5. 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.
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6. Amended plans were submitted during the course of the planning and listed building consent applications, which were considered by the Council. Accordingly, and having regard to the Wheatcroft principles¹, I am satisfied that my consideration of these amended plans would not deprive those who should have been consulted on the change, the opportunity of such consultation. I shall therefore determine the appeal on the basis of the amended plans.

Main Issue

7. The main issue is whether the proposal would preserve the architectural and historic significance of the Grade II listed building known as no 8 Gold Street.

Reasons

8. The appeal property is an attractive cottage dating from the mid-nineteenth century which, according to the listing description, replaced an earlier building. No 8 Gold Street (no 8) has been subject to various alterations and extensions, but retains many historic features, which include coursed rubble stone walls, brick window surrounds and prominent chimney stacks, which contribute to its special architectural interest.
9. The flank wall of the appeal building lies immediately adjacent to the Gold Street frontage and at right angles to the façade of no 7 Gold Street (no 7), which creates a pleasant courtyard arrangement. There is no doubt that the group value which the appeal building holds collectively with no 7, together with other historic properties, make a significant contribution to the picturesque townscape which characterises Gold Street and the Stalbridge Conservation Area as a whole.
10. The proposed garden room would be constructed to the northern elevation of the listed property which, as detailed within the appellants' submissions, has been previously subject to a number of alterations and repairs. Although the chimney stack remains in place, the internal chimney breast appears to have been removed, which would have notably enabled the formation of windows at ground and first floor levels.
11. Externally, this is reflected by the changes in material, which include vertical joints and repairs, as well as stonework repointing. Having regard to the available evidence and my own observations, I am therefore satisfied that the proposed development and works would require no significant loss of historic fabric. Even if I were to accept that the appeal scheme would compromise the historic fabric of the listed building, this would remain limited to the widening of the existing opening to connect the music room to the garden room in the form of French casements. As shown on the amended plans, a major part of the gabled wall would be retained, thus ensuring that the intimate and enclosed character of the music room is preserved.
12. However, and whilst there may be scope for a small addition to the listed building, the garden room would appear as a boxy addition. Despite the use of natural stone, features such as the proposed bi-folding doors, fixed glazed panels and lantern rooflight would give the garden room an overtly modern appearance. As a result, the new extension would detract from the simpler appearance of the host property and fail to reflect its traditional character, to

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37].

the detriment of its significance. Although it is noted that the garden room would not be visible within the street scene, listed buildings must be safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the property can be gained.

13. No concerns have been raised by the Council regarding the effect of the appeal proposal on the character or appearance of the Stalbridge Conservation Area, and there are no reasons for me to disagree with this view. Despite the harm which would be caused to the listed building, I am satisfied that the proposal would not be detrimental to the Conservation Area, and thus would preserve its special interest. This is because, unlike listed buildings, the special interest of a conservation area is largely dependent upon how it is experienced.
14. Whilst there may be scope for a modest addition to the northern elevation of the listed property, the design of the proposed garden room would not pay sufficient regard to the traditional character and appearance of the host dwelling. Given the above, the proposed garden room would cause less than substantial harm to the significance of the listed property, to which I afford considerable importance and weight. In accordance with paragraph 202 of the Framework, the identified harm should therefore be weighed against the public benefits of the proposal.
15. The appeal scheme would provide additional living accommodation for the occupiers of the dwellinghouse, which would thus assist with maintaining the fabric of the building and its significance. However, there is no suggestion that the continued occupation of the listed building is dependent on the construction of the proposed garden room. Furthermore, any additions would need to be carried out in a manner which does not prejudice the significance of this Grade II listed building. Overall, I have not been presented with public benefits which would outweigh the identified harm.
16. For the foregoing reasons, the appeal scheme would fail to preserve the architectural and historic significance of the Grade II listed building, and would therefore be contrary to Policy 5 of the North Dorset Local Plan Part 1 (January 2016). This policy notably seeks to ensure that proposals affecting a heritage asset (including its setting) are assessed having regard to the desirability of sustaining and enhancing the significance of that asset, and requires clear and convincing justification for any development that would cause harm to the significance of the asset.

Conclusion

17. There are no considerations indicating that the appeals should be determined other than in accordance with the development plan, which the proposal would conflict with. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

S Edwards

INSPECTOR