
Appeal Decisions

Hearing Held on 9 November 2021

Site visit made on 9 November 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 18 November 2021

Appeal A: APP/P2114/W/21/3271656

St Catherine's Hall, Barrack Shute, Niton, Isle-of-Wight PO38 2BE

- 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 and Mrs Ian McGurer against the decision of Isle of Wight Council.
 - The application Ref 20/01932/FUL, dated 6 November 2020, was refused by notice dated 1 February 2021.
 - The development proposed is described as restoration of main house. Rebuild existing conservatory and new rear extension to form kitchen.
-

Appeal B: APP/P2114/Y/21/3271655

St Catherine's Hall, Barrack Shute, Niton, Isle-of-Wight PO38 2BE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Ian McGurer against the decision of Isle of Wight Council.
 - The application Ref 20/01933/LBC, dated 6 November 2020, was refused by notice dated 1 February 2021.
 - The works proposed are described as restoration of main house. Rebuild existing conservatory and new rear extension to form kitchen.
-

Decisions

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

Procedural Matters

3. As set out above, there are 2 appeals on this site. Each relates to the same scheme but they address separate applications for planning permission in the case of Appeal A, and listed building consent in the case of Appeal B. I have considered each on its individual merits, however, in order to avoid duplication, I have dealt with the appeals together, except where otherwise indicated.
4. Since the Council refused permission and consent for the applications above, listed building consent has been granted for all the works outlined within them excluding the extension. Aside from this, the only difference between the appeal scheme and the approved scheme is that the latter permits the reconstruction of the lean-to attached to the north east (hereafter 'rear') elevation. The consent is in the process of being implemented and the Council

is satisfied that the works are being carried out in accordance. I have taken both this and the above into account in considering the appeals below.

Main Issue

5. The main issue is whether the scheme would preserve a Grade II listed building, its setting, or any of the features of special architectural or historic interest that it possesses.

Reasons

6. St Catherine's Hall is listed at Grade II, and is thus a designated heritage asset. Whilst the Act sets out the desirability of preserving listed buildings, paragraph 199 of the National Planning Policy Framework (the Framework) makes clear that great weight should be given to the conservation of designated heritage assets.
7. St Catherine's Hall is a detached dwelling which stands within its own grounds. Insofar as it is relevant to these appeals, its special interest and significance resides in its mid-C19th date and attractive design and construction. In this regard the original building is based on a roughly square plan, featuring generally symmetrical elevations at the front and rear, and a generally mirrored composition to either side. The product is a compact, well ordered and balanced building form. This remains reasonably intact and is appreciable despite later additions. The latter include a modern conservatory on the south east elevation, which may occupy the position of an earlier structure, and the lean-to on the rear elevation.
8. The rear elevation otherwise features a pair of substantial gables and ornate chimney stacks. It carries somewhat less detail than the other elevations, but still has a visually distinctive form and overall symmetry. The lean-to is by comparison crudely built. Nonetheless, its design reflects and reinforces the symmetry of the rear elevation, and its modest massing and limited projection complements the compact form of the original building.
9. The lean-to has most recently housed a kitchen but has otherwise been described within the submissions as a scullery. An original subordinate function of this or another sort appears probable, as the kitchen itself is more likely to have historically occupied the room labelled as a study on the plans. This is suggested by its position within the original layout, including its relationship to the back hall and basement, its flagstone floor and its fittings. In view of the above, the contribution made by the lean-to to the special interest and significance of the listed building lies chiefly in its design.
10. The appeal scheme would see an extension added to the right side of the rear elevation, partly replacing the lean-to. As reconstruction of the lean-to has been approved, it would not remain intact whether the appeals were allowed or not. Insofar as the form of the lean-to would be replicated within the approved scheme however, the baseline for my consideration of design remains the same.
11. The positioning of the extension on one side of the rear elevation would clearly fail to reflect and reinforce its distinctive symmetry. This would be highlighted by the incongruous asymmetrical form of the extension itself, which would furthermore cross the historic centre line of the elevation. The resulting physical and visual imbalance would be accentuated by the extent of the

extension's projection, and by its relatively large size, each of which would be emphasised in contrast to the retained portion of the lean-to. In none of the above regards would the extension complement the compact, well ordered and balanced form of the original building. The extension would instead appear as a disruptive and intrusive feature, obscuring and detracting from the composition and appearance of both the rear elevation, and of the building as a whole. The adverse effects would not be mitigated by the use of matching materials and detailing.

12. The kitchen housed by the proposed extension would be the largest single room within the house, and its floor area would be greater than that of any of the original rooms on the ground floor. Given this disparity, it appears likely that the failure of the extension to integrate externally would be reflected by its disproportionate size internally. This would in turn undermine appreciation of the original scale and layout of the historic plan form.
13. The current lean-to provides a linear space sufficient to accommodate a galley-type kitchen layout. This relates poorly to the rest of the ground floor when considered in both contemporary and historic terms. Change could thus offer the potential to deliver improvements to the building and to the living conditions of occupants. That said, I see no reason to consider that the living conditions of occupants would be unacceptable in the absence of any change. This is because it appears that all the essential functional components of a kitchen as a food preparation space can be comfortably accommodated. Moreover, I have been provided with little or no evidence of what the comparative impact of relocating the kitchen to another existing space would be. This most particularly includes the room within which the kitchen is likely to have been originally located. Therefore, whilst scope for improvement is acknowledged, the evidence before me provides little justification for the harm that would be caused by the proposed extension.
14. Visibility of the house from within the public realm has varied over time, both in relation to planting and the surrounding road layout. Further variation may arise in the future. However, this does not alter the harm that I have identified above. This is because the special interest and significance of a listed building is not dependent on public views.
15. As outlined above, the appeal scheme includes a range of other works. Though subject of only vague specification, many of these works provide the potential for enhancement. As also noted above, all are subject of a separate consent, and to this end, some have either been, or are in the process of being implemented. The appellant further confirmed at the hearing that these works will continue whether the appeals are allowed or not. This indicates that allowing the appeals would deliver no additional benefit, and further highlights that the extension is a severable component of the scheme. There is therefore no necessary relationship between the harm that its addition would cause, and the potential benefits delivered by other works. Consequently, the latter cannot as such be held to justify the former.
16. I find therefore that the proposed extension would fail to preserve the special interest of the listed building. This would be contrary to the expectations of the Act, and the harm caused to the significance of the listed building would be less than substantial. Such harm attracts great weight. In accordance with

paragraph 202 of the Framework it is necessary to weigh this harm against the public benefits of the scheme.

17. The appellant states that improvement of the kitchen facilities would help to secure the existing optimum viable use of the building. Here it seems likely that the proposed kitchen would be more attractive to a prospective future occupant than a galley kitchen. That is not to say however that the addition of such space is essential, would accord with any particular standard, or that the building would fail to attract an occupant in the absence of change. I therefore attach very little weight to this consideration.
18. Heritage benefits could potentially arise from the other works outlined within the scheme. However, in view of my findings above, these benefits attract little weight.
19. Construction of the extension would generate additional work for contractors. The benefits of this to the broader economy would however be negligible, and so attract only negligible weight. For this and the above reasons, the harm that would be caused by the appeal scheme would not be outweighed by public benefits. This indicates that the appeals should be dismissed.
20. For the reasons outlined above I conclude that the extension would fail to preserve the special architectural or historic interest of the listed building. In relation to Appeal A, and insofar as it is relevant to Appeal B, the scheme would therefore conflict with Policy DM2 of the Island Plan 2012, which seeks to secure development proposals which preserve or enhance heritage assets, and Policy DM11 which similarly seeks to secure proposals that conserve and enhance the special character of the Island's historic and built environment. In relation to both appeals, the scheme would otherwise fail to satisfy the requirements of the Act and heritage policy set out within the Framework.

Conclusion

21. The scheme would cause unacceptable harm to a designated heritage asset, and in relation to Appeal A, conflict with the development plan. There are no other considerations which alter or outweigh these findings. Therefore, for the reasons set out above, I conclude that Appeals A and B should be dismissed.

Benjamin Webb

INSPECTOR

APPEARANCES

For the Appellant

Andrew Court

Architect

Roger Shrimplin

Agent

For the Council

Julie Wilkins

Planning Officer

Sarah Wilkinson

Planning Team Leader

Documents presented at the Hearing

Historic England Advice Note 16: Listed Building Consent (extracts)