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## Appeal Decision

Site visit made on 14 June 2022

**by E Worthington BA (Hons) MTP MUED MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15<sup>th</sup> July 2022**

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**Appeal Ref: APP/A3010/Y/22/3292077**

**Church Farm House, Church Street, Sturton le Steeple, Retford, Notts, DN22 9HQ**

- 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 Chris Jewitt against the decision of Bassetlaw District Council.
  - The application Ref 21/01273/LBA, dated 2 August 2021, was refused by notice dated 8 October 2021.
  - The works proposed are described as 'Renew defective floors kitchen and dining room. Remove chimney breast between kitchen and dining. Create new door opening with hardwood French windows using existing window opening and cutting out below existing lintel.'
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### Decision

1. The appeal is dismissed in so far as it relates to 'remove chimney breast between kitchen and dining. Create new door opening with hardwood French windows using existing window opening and cutting out below existing lintel'. The Appeal is allowed in so far as it relates to 'renew defective floors kitchen and dining room', at Church Farm House, Church Street, Sturton le Steeple, Retford, Notts, DN22 9HQ in accordance with the terms of the application Ref: 21/01273/LBA, dated 2 August 2021, and the plans submitted with it, so far as relevant to those parts of the works hereby permitted, subject to the following condition.
  - 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.

### Procedural Matter

2. As the proposed works relate to a listed building, I have had special regard to sections 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

### Main Issue

3. The main issue is whether the proposed works would preserve the Grade II listed building, Church Farm House, Church Street (Ref: 1216695) and any of the features of special architectural or historic interest that it possesses.
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## Reasons

### *The listed building*

4. The appeal building is a late 18<sup>th</sup> century two storey former farmhouse built in brick and finished in colour washed render with a pantile roof. It fronts Church Street in an elongated frontage over three bays and has seen several stages of development. It has two rearward projecting two storey wings which date to the early 1900s and a number of modernisation works were undertaken in the 1980s. The openings to the rear of the building have been replaced with UPVc windows and doors.
5. Despite these additions and works, many of the building's historic openings, proportions and features have been retained. Internally these include ceiling beams, chimney breasts and fireplaces as well as the long established sizes and compartmentalised layout of the rooms. As a result the building maintains an attractive rural appearance and traditional domestic layout commensurate with its historic role as a farmhouse. Thus, its historic form and long established function is still clearly legible.
6. Whilst the listing description is limited to the building's external features, I am mindful that architectural interest can include the quality, nature and significance of design as well as other aspects such as plan form and examples of particular building types. From the evidence before me, insofar as it relates to this appeal, I therefore find that the special interest of the listed building is drawn from its generally modest scale, proportions and layout which are typical of its rural village location, as well as from its remaining distinctive historic openings and architectural features, all of which attest to its historic function as a farmhouse.

### *The effect of the proposed works – the removal of the chimney breast and the insertion of the French doors*

7. The proposal would see the removal of the internal chimney breast and fireplace that divides the dining room from the kitchen to create an open plan living space. It would be removed at ground floor level only such that the chimney breast would remain at first floor level.
8. The chimney breast is located in the building's rear offshoot. The appellant indicates that it was chopped and altered prior to the listing of the building and bears no resemblance to the original structure. I saw at my visit that it has a modern brickwork and cement facing on its kitchen side. Nevertheless, as a significant architectural component, it remains a noteworthy historic element of the building. It is also a conspicuous feature typical of a farmhouse where the fireplace would have been an important functional component and focus.
9. Whilst not large in comparison with the building's other fireplaces/chimney breasts, its removal would lead to the loss of the dividing partition between the kitchen and dining room which are currently separate rooms. As such it would change the size of the room as a whole and alter the building's floorplan. This would undermine its historic layout which is characterised by the compartmentalised nature of the rooms and their generally more intimate scale.

10. Thus I find that the removal of the chimney breast and fireplace as proposed would erode the character of the building and diminish its historic interest thereby impairing its historic legibility. That there are other chimney breasts elsewhere in the main part of the building that would be retained does not alter my view.
11. The proposed works also include the replacement of an existing window opening on the west elevation to the rear of the building with a set of French doors. The openings on the building's rear elevations have already been altered and have seen the insertion of UPVc windows and doors and the loss of features such as headers and cills. The proposed doors would use the more traditional material of hardwood and would replace the existing UPVc window.
12. Nevertheless, the proposed works would result in the removal of an existing historic window opening which has retained its stone cill. As well as altering the dimensions of the long established opening, by their nature the glazed doors would be of a more modern design. They would appear at odds with the simple architectural character of the traditional farmhouse building and would be an unsympathetic addition that would further disrupt and erode the historic pattern, proportions and detailing of the openings there. The appellant's Heritage Impact Assessment similarly concludes that this part of the proposal would contribute to what is evidently an escalating process of the loss of features and further harm the building.
13. Bringing this matter together, I accept that the chimney breast is an internal feature and that the French doors would be to the rear of the building and would not be visible from the road or prominent in any public views. However, these factors do not affect my conclusions. Listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
14. I also appreciate that other historic elements of the building would be retained (including the beams, other fireplaces, ceiling heights, and upper storey windows) and that the proposed works would result in no change to the building's front elevation, its symmetry or its roofscape. Nor has it been put to me that any other heritage assets nearby would be affected. However, the absence of harm in these regards is not a reason to allow works that would be harmful.
15. I therefore conclude that the proposed works relating to the chimney breast and the French doors would fail to preserve the special interest of the listed building. I give this harm considerable importance and weight in the balance of this appeal.

*The effect of the proposed works – works to the floors and walls*

16. The building was subject to a number of modernisation works in the 1980s. An injected chemical damp proof course, along with the use of sand and cement render and the laying of a concrete floor in the dining room and kitchen have all led to the presence of unwanted moisture within the building due to their non-breathable nature. As a result the rear part of the building has had problems with damp and efflorescence. The Council accepts that these have had a detrimental effect on the physical fabric of the building.

17. The submitted plans indicate the removal of the existing sand and cement render from the internal and external walls of the dining room one metre above damp proof course level. This would be replaced with cork board insulation to the external walls and a wood fibre insulation to the internal walls, all of which would be finished with a lime skin render. In addition, the existing concrete floor to the kitchen and dining room would be taken up, excavated and built back up with a breathable composite consisting of geotextile membrane and compacted geocell foam glass along with a lime screed.
18. The removal and subsequent replacement of these elements of the building with breathable fabric and materials would improve the physical condition of the building and is acceptable to the Council. I am also content that these works are appropriate. They would help to maintain the building, ensure it remains in active use consistent with its conservation, and would thereby help to sustain and enhance the significance of the property.
19. Consequently, I find that these works would not diminish the significance of the building and am satisfied that they would preserve the listed building and its special interest.

#### *Heritage Balance*

20. The National Planning Policy Framework (the Framework) advises at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. I consider that the harm to the listed building in this case would be less than substantial, but nevertheless of considerable importance and weight.
21. Paragraph 202 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
22. The appellant considers that the appeal property will need alterations and repairs to meet the living requirements of modern life and refers to the need to use modern materials to satisfy environmental sustainability criteria. My attention is also drawn to paragraph 62 of the Framework which seeks to ensure that housing meets the needs of different groups in the community.
23. I accept that the remedial works to the floors and walls to address damp problems would improve the fabric of the building and ensure its continued use as a home as well as its general longevity. These elements of the proposed works would be beneficial to the asset and as such are public benefits of the proposal.
24. However, I have seen nothing to suggest that it would not be possible for the appeal building to continue in residential use in the absence of the removal of the chimney breast and the insertion of the new French doors. Nor is there any evidence that that the building would become unfit for purpose and risk being left empty if these particular works are not undertaken. I am also mindful that the beneficial works to the floor and walls as described, could be undertaken in

the absence of the removal of the chimney breast and the insertion of the French doors.

25. Whilst the open plan layout that would result from the removal of the chimney breast is representational of the development trends of the era, this is substantially a private benefit of the proposal to the appellant.
26. Having regard to all these matters, I therefore find that the public benefits in this case would be insufficient to outweigh the harm to the designated heritage asset arising from the removal of the chimney breast and provision of the French doors that I have identified.
27. For these reasons the proposed works to remove the chimney breast and insert the French doors would fail to satisfy the requirements of the Act and paragraph 197 of the Framework. Whilst the decision notice refers to Policy DM8 of the Bassetlaw Core Strategy I am mindful that listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and so do not need to be determined in accordance with the development plan.

#### *Other matters*

28. The appellant considers that he has approached the works to the building in a careful and responsible way. There is support for the proposal from the Parish Council and no objections were received from third parties. The absence of harm in these regards counts neither for, nor against the proposal.

#### **Conclusion and conditions**

29. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be dismissed in so far as it relates to the removal of the chimney breast and the proposed French doors, and should be allowed in so far as it relates to the works concerning the floors and walls.
30. The Framework establishes that conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the works or development to be permitted, enforceable, precise and reasonable in all other respects.
31. As this split decision does not permit the proposed removal of the chimney breast or the insertion of the new French doors it is not necessary to attach any conditions relating to those aspects of the appeal proposal. These are the only conditions suggested by the Council. This being so, and given the comprehensive details provided on the plans, I have attached only the standard time limit condition in the interest of clarity. As the plans are referred to in the formal decision above (in so far as relevant to those parts of the works that are permitted by this decision) it is not necessary to attach a plans condition to a listed building consent.

*E Worthington*

INSPECTOR