
Appeal Decision

Site visit made on 2 August 2022

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/D1265/D/21/3288354

16 The Close, Blandford Forum DT11 7HA

- 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 Richard Disbrow against the decision of Dorset Council.
 - The application Ref P/HOU/2021/01103, dated 29 March 2021, was refused by notice dated 21 September 2021.
 - The development proposed is to add slate 'tile' hanging to gable end.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. 16 The Close is within the Blandford Forum Town Conservation Area, and 17 and 19 The Close are grade II listed buildings. As required by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

Main Issue

3. The main issue is whether the hanging slate tiles would preserve or enhance the character or appearance of the conservation area, and linked to that is the effect the tiles would have upon the setting of nearby listed buildings.

Reasons

4. 16 The Close (No 16) is part of a short, terraced row of similarly aged and styled houses within the Tabernacle area. The house is part of the long row of buildings, whether terraced or detached, that frame the public highways. There are a variety of ages and styles of buildings within the area, including grand and richly detailed detached houses, such as The Old House, and the more modest, simpler forms of the listed buildings at 17 and 19 The Close (Nos 17 and 19). This variety of buildings and the presence of so many high, quality historic properties that are positioned close to the public highway, is a key element of the character and appearance of the conservation area. This and the repeated palettes of traditional materials, such as slate and tiled roofs and particularly the use of a deep red brick and the diversity of the decorative patterns of the brickwork, gives a rich visual cohesion, all of which are part of the significance of the conservation area.

5. No 16 is partly constructed of red brick under a tiled roof and these materials have a harmonious relationship with nearby buildings. Given the height of the house, and its end-of-terrace position, it is clearly visible within the surrounding area, particularly so when approaching from the west. The elegant detailing of the house, and its close relationship to the public highway that maintains the enclosure of the road, are such that it makes a positive contribution to the conservation area.
6. Contrasting the long rows of buildings to either side of the roads, is the presence of sporadic open areas, and near to the appeal property are the Woodhouse Gardens and the open area in front of the Post Office. Such areas not only form an attractive visual contrast to the buildings, but also provide long views, such as is evident with the flank wall of the appeal property. The experiences of these views, with the attractive cohesion deriving from so many historic buildings with their repeated palettes of materials, is part of the significance of the conservation area.
7. Whilst natural slates are found on several nearby buildings, it is mostly as a roof covering rather than as a wall cladding. Given the height and size of the flank wall, its complete coverage with slates would appear conspicuously intrusive within the area. There would be subtle variations of texture and colour within the slate, but given the size and prominence of the wall, such variations would do little to ameliorate the monotonous appearance of such a large area. Furthermore, the high quality, decorative nature of the brickwork within nearby buildings is a distinct feature of the locality. The variety of bonding patterns, the presence of decorative brick detailing, and the use of different brick colours give a vibrancy to the street scene that is particularly attractive. The size of the slates, with their repeated and regularly spaced horizontal banding, would exaggerate the substantial extent of the coverage, as well as form a strident contrast with the fine and delicate detailing of the brick walls of the surrounding houses.
8. The flank wall is painted render, and its current pale colour along with the size and prominence of the wall makes it visible within the street scene. The appearance of rendered surfaces can deteriorate if not regularly maintained, and this would include measures such as ivy removal. Whilst brick is the predominant wall material within nearby buildings, there are also examples of others with painted brick and also render, such as within Dorset Street. In addition, there were other buildings nearby where rendered sections of wall were apparent. Reference has been made by the appellant to other examples of hanging slates, but those upon the Methodist Church and upon the roofs of the neighbouring listed buildings are much smaller in area, and are part of the roofscapes rather than the walls. There are hanging slates on the rear elevation of 1 Church Lane, but apart from this property there are very few other buildings with large, completely slate covered walls. Given that hanging slates are not a common architectural device for wall cladding within the area, the examples cited do not form binding precedents for approving the appeal scheme.
9. Moreover, the slates would detract from the settings of the nearby listed buildings, particularly 17 The Close. Although separated from the appeal property by tall gates, the flank wall of No 16 forms part of the backdrop to these cottages. Whilst the appellant considers the render to be historically inappropriate and harmful to both the conservation area and the setting of

nearby listed buildings, the uniformity of the rendered wall is such that it has a neutral impact upon the setting of the listed buildings, allowing the organic variety of the forms of the houses and their detailing to be prominent. The slates would be a natural material, but even with the variations of colour and texture, the large area they would cover along with the regular and repeated pattern of the rows would create an imposing and rhythmical backdrop that would detract from the modest dimensions and the fine detailing of the neighbouring listed buildings. Moreover, part of the special interest of No 17 is the brickwork used in the front elevation. Given the ornate appearance of this brickwork deriving from the bond pattern and the use of red and blue bricks, the close proximity and overbearing uniformity of the large slate wall would harmfully detract from the visual vibrancy of No 17.

10. The hanging slates are required to address the ingress of water and damp problems experienced at the property, and a number of measures have already been undertaken, such as the removal of dry lining, and the use of lime-based products and paints. The appellant has also discounted other possible solutions suggested by the Council in that lime mortar would not prevent the ingress of water.
11. However, undertaking any works to remedy the damp would need to be based on a detailed understanding of why the problem is occurring and following that any remedial works should be tailored having regard to the individual nature of the building. Damp and water ingress can occur for a variety of reasons, including because of the use of modern impervious materials. In this instance it has not been conclusively demonstrated what is causing the problem, the extent, nor what would be the most appropriate means of addressing it.
12. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. This is irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm to its significance. Given my findings, the slates would fail to preserve or enhance the significance of the conservation area, and would detract from the settings of nearby listed buildings. These harms would be less than substantial as the slates would affect only part of the conservation area and the listed building settings, although the harms would still be of considerable importance and weight.
13. Under such circumstances, the Framework advises that where development would lead to less than substantial harm that this harm should be weighed against the public benefits of the proposal. Addressing the damp problem would be of long-term benefit to the conservation of the building, and this would be a public benefit, as would any reduction in the use of fossil fuels and the carbon footprint of the building. There would also be personal benefits accruing from the slates as the render is considered to be expensive and inconvenient to maintain. Notwithstanding the public benefits that would arise, measures to address the damp would need to be guided by an understanding of the causes of the problem and what would be the most appropriate solution for the building. Given this uncertainty, the public benefits would not outweigh the harm I have identified to the conservation area and listed building settings.
14. On balance the slates would neither preserve nor enhance the character or appearance of the conservation area, nor preserve the settings of nearby listed

buildings. This would be contrary to the requirements of the Act and objectives of the Framework, and the conditions suggested by the Council, including those controlling materials, would fail to mitigate the harms. The works would also conflict with Policies 5 and 24 of the North Dorset Local Plan (2016) (LP), and Policy B11 of the Blandford Neighbourhood Plan (2019). These seek, amongst other things that development sustains and enhances the significance of heritage assets, including the use of materials that are sympathetic to the area.

15. The appellant has also drawn my attention to LP Policy 3, which requires amongst other things, that development to existing buildings should improve their energy performance. The installation of the slate may achieve this objective, but the benefit of such measures would be limited and would not outweigh the substantial harms I have found.

Other Matters

16. Finally, concerns regarding the Council's handling of the application relate to matters that have no bearing on my consideration of the planning merits of the case.

Conclusion

17. The slates would neither preserve nor enhance the character or appearance of the conservation area, nor preserve the settings of nearby listed buildings. The proposal would conflict with the development plan taken as a whole, and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR