



Appeal Decisions

Site visit made on 6 January 2023

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2023

Appeal A Ref: APP/J9497/W/22/3301905

Abbotswell House, 10 Crest Hill, Buckfastleigh TQ11 0AN

- 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 Ms Laura Hetherington against the decision of Dartmoor National Park Authority.
 - The application Ref 0058/22, dated 25 January 2022, was refused by notice dated 11 April 2022.
 - The development proposed is alterations to kitchen and study.
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Appeal B Ref: APP/J9497/Y/22/3301907

Abbotswell House, 10 Crest Hill, Buckfastleigh TQ11 0AN

- 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 Ms Laura Hetherington against the decision of Dartmoor National Park Authority.
 - The application Ref 0059/22, dated 25 January 2022, was refused by notice dated 11 April 2022.
 - The works proposed are alterations to kitchen and study.
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Decisions

1. The appeals are dismissed.

Application for Costs

2. An application for costs was made by Ms Laura Hetherington against Dartmoor National Park Authority. This application is the subject of separate decisions.

Procedural Matter

3. Revised drawings Refs ABBOT_PROP_2 Rev B, ABBOT_PROP_3 Rev B, ABBOT_PROP_4 Rev B accompany the appeal, which seek to change the glazing bar design of the window which would be inserted into the south elevation of Abbotswell House, and also provide further information with reference to dry lining. As they represent only a minor revision to the scheme, I had regard to the revised drawings without prejudice to any party.

Main Issue

4. The circa 1860 dwelling Abbotswell House is listed at Grade II and within the Buckfastleigh Conservation Area (the CA). In that context, the main issue to be considered is the effect of the proposal on the special architectural and historic interest of the listed building and, linked to that, whether it would preserve or enhance the character or appearance of the CA.

Reasons

5. The significance of Abbotswell House is largely derived from its Victorian era architecture, notably its more formal east, streetside elevation, and also its historic plan. The proposal relates to a subsidiary two storey wing across the south flank of the property, constructed with the dwelling or not too long afterwards before 1885. Inside the ground floor, a small room directly off the main kitchen is an evocative space with several of the hallmarks of a former scullery, including a sloping floor down to a door directly to the roadside. Above it is a small room within the roof, the historic use of which is less clear.
6. The exterior of Abbotswell House, most particularly the more polite fenestration and detailing of its front, enclosed by finely detailed cast iron railings, allows it to make a positive contribution to the significance of the CA. It is one of Buckfastleigh's more well-appointed Victorian properties built on higher land at the edge of the historic core of the village. It is identified as a key building by the Buckfastleigh Conservation Area Character Appraisal (2012).
7. Sculleries were commonly where the less desirable, more intensive, dirtier housework happened. The compartmentalisation and segregation of the former scullery from the main kitchen area are thus critical facets of the building's significance, showing us how it functioned and the hierarchy of its spaces. As such, whilst I recognise that the access between the kitchen and scullery is not likely to be original nor perhaps in the original place, its widening, and the removal of part of the scullery ceiling to create a lightwell, would compromise the containment of the space and thus the form and hierarchy of the historic plan. It follows that the significance of the listed building would be harmed.
8. Whilst the ground floor window opening is perhaps original, the window is not, and is poorly made. The integrity of the opening has been compromised by the floor of the above, possibly 1970s, bathroom addition cutting across it. The effective translocation of this opening to the scullery would not therefore be harmful. Given the poor quality of the window which would be removed, and as the new window would serve a lower status area of the house, slim double-glazed joinery would be acceptable. Similarly, fabric loss associated with the insertion of the rooflights would likely be very modest and relate to fabric of secondary importance, and which may require replacement in any case.
9. That said, whilst rooflights are not an entirely alien feature within the CA, I do consider that they would be harmful to the significance of the CA, and indeed the special architectural interest of the listed building, in the specific circumstances of this case. The reason being, as one travels into the CA down the narrow Crest Hill carriageway, the architectural quality and composition of the frontage of Abbotswell House slowly reveals itself to view. The effect is pleasing in part because the south elevation, despite its visual prominence, is so comparatively plain and recessive. The elevated and conspicuous placement of the rooflights, proximate to the front elevation, would jar with the way the house frontage, crucial to its significance and role within the CA, is enjoyed.
10. I recognise that the proposal would also involve positive works, including the re-slatting and timber repairs to the roof, reinstatement of plasterwork to the scullery, and the removal of modern fabric. However, the enhancements would be modest in comparison to the harm that would be caused and could be carried out independent of the harmful works in any event; less than substantial harm to each designated heritage asset would arise overall.

11. The National Planning Policy Framework explains that great weight should be given to the conservation of designated heritage assets and that any harm to the significance of such an asset requires clear and convincing justification. Paragraph 202 requires decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme, including securing its optimum viable use.
12. That balancing exercise must take place in the context of s.16(2), s.66(1), and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which set a strong presumption against a grant of planning permission or listed building consent for development or works that would cause harm to the special interest of a listed building and fail to preserve or enhance the character or appearance of a conservation area.
13. The scheme would evidently¹ increase light, solar gain, thermal performance and functionality within the former scullery and kitchen. Ventilation would be improved. In this respect, the scheme would encourage the use of the spaces, and would promote health and well-being, with a higher standard of amenity for existing and future users. This may also logically make the building more attractive to potential future occupants. The moderate weight I attach to these public benefits and the isolated heritage related public benefits falls short of justifying the harms that would be caused; harms that must each be given considerable importance and weight in the balancing exercise.
14. That also brings the proposal into conflict with Strategic Policies 1.1, 1.2, 1.5, and 2.7 of the Dartmoor Local Plan 2018-2036 (adopted 2021) insofar as they seek to secure good design, protect Dartmoor's cultural heritage generally and designated heritage assets specifically, and the Dartmoor Design Guide. Strategic Policy 2.6 relates to light pollution, but focuses on proposals beyond settlements, and/or all external lighting and is therefore not relevant.

Other Matters

15. The Authority is concerned that the scheme would harm the living conditions of the occupants of the adjacent house 9a Crest Hill, with reference to privacy. However, any increased overlooking would be negligible and toward No 9a's front parking apron. The proposal would have a neutral effect in this respect.
16. I understand that works to widen the access between the kitchen and the historic scullery received consent under Ref 0413/02, which may well remain extant. Even so, these works, in isolation, would be likely less harmful than the extent of works/development that is now sought. This matter has therefore carried limited weight in favour of the proposal.

Conclusion

17. With particular reference to Appeal A, the proposal would conflict with the development plan when read as a whole. The other considerations before me do not indicate that I should make a decision other than in accordance with the development plan. For reasons given above, and taking all other matters raised into account, I conclude that both appeals should be dismissed.

Matthew Jones

INSPECTOR

¹ Appendices A and G to the appellant's Statement of Case