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# Appeal Decision

Site visit made on 15 August 2023

**by G Bayliss BA (Hons) MA MA MRTPI IHBC**

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

**Decision date: 13 September 2023**

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**Appeal Ref: APP/C1625/Y/21/3274913**

**Wickham House, London Road, Chalford, Stroud GL6 8PP**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
  - The appeal is made by Mr Robert Young against Stroud District Council.
  - The application Ref S.21/0425/LBC is dated 18 February 2021.
  - The works proposed are to remove existing plaster back to stone, full height of room and install damp proof course and tanking to inside walls of one ground floor room (bedroom).
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The appeal was made against the failure of the Council to reach a decision on the application within the relevant statutory timeframe. The Council has explained at appeal that had it been in a position to do so it would have refused the application. I have been provided with what would have been their reasons for refusal as part of their statement of case and the appellant has had the opportunity to comment upon them. These reasons will therefore form the basis of the main issue.
3. I have revised the appellant's description of the proposed works to exclude those matters which relate to the purpose of the works. I have, however, dealt with these matters in my decision.

## Main Issue

4. The main issue is whether the proposed works would preserve a Grade II listed building (listed as Wickham Grange and Wickham House) and any of the features of special architectural or historic interest that it possesses, and whether it would preserve the significance of the heritage asset.

## Reasons

5. The listed building lies near to the bottom of a river valley which has steeply sloping sides. It was listed in 1960 (Ref.1340428) and comprises two, 18<sup>th</sup> century houses, with Wickham Grange occupying the front section and Wickham House (the appeal building) to the rear. The list description mentions that the building is of three stories with a double pile plan and describes the elaborate architectural detailing of the front section of the building, including its central doorway with Tuscan doorcase, bow window with curved sashes, its decorative iron veranda and modillion eaves cornice. It suggests that the three

storey wing to the rear was rebuilt in the 19<sup>th</sup> century and mentions its plain timber casement fenestration. It also notes that the interior of the building was not inspected.

6. Whilst Wickham House is a predominantly three storey dwelling, some parts at the rear have fewer storeys because it is partly built into the bankside. Compared to the architectural elaboration of Wickham Grange, Wickham House exhibits much plainer architectural detailing, and the walling construction is mainly coursed limestone rather than the dressed and squared stone of the frontage. Within the building only the sitting room showed evidence of an historic interior, with a decorative plaster ceiling, traditional fireplace and polished wooden floor. Within the remainder of the appeal building, I saw little evidence of historic finishes; the skirting boards and architraves all appeared to be relatively modern, and the wall surfaces were smooth and flat with sharp corners. These findings largely correspond with the Council's suggestion that all internal plaster, coving and skirtings were replaced when the building was completely renovated in 1984.
7. From the details available to me, including the list description, I consider that the special interest and significance of the listed building, insofar as it relates to this appeal, is predominantly derived from its age, its historic fabric and its architectural interest which is expressed through the status of different parts of the building and its associated phases of development.
8. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework (the Framework) confirms that great weight should be given to the conservation of a designated heritage asset. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed and any harm should require clear and convincing justification.
9. The appeal proposal relates to a single room, used as a bedroom, at Wickham House and seeks to install an internally drilled damp proof course (dpc) together with tanking slurry to the full height of all walls. The room is at the very back of the house, within a narrow, rear projecting wing with three external walls and the gable end is built into the bankside. Although I have not been provided with floorplans of the whole building, I have concluded that the room is on the first floor. However, because of the steeply sloping ground there did not appear to be a room below it. This rear wing is constructed in randomly coursed limestone walling with quoin stones to the corners of the building.
10. The room has a window in the west elevation and a glazed, external door on the opposite side with a raised stone step. The internal finishes appeared to be relatively modern. The floor felt solid but as it was covered in carpet its construction was unknown. The external door leads out to a path running around to the front of the house, surfaced in concrete with no gap between the path and the house wall. To the other side of this door, towards the gable end, is a series of retaining walls which stagger the garden up the steep bankside and this raised ground runs around the whole of the gable end. I estimated the height of the ground level to be approximately a third of the way up the gable wall of this room. The wall with the window is substantially elevated above a

yard below. I could see from the deep window and door reveals that the walling was of considerable thickness, suggesting in my experience that it is rubble filled.

11. Externally, the rear gable wall has been partially rendered, extending up from the ground level to approximately ceiling height within the room. In various places I could see that below the ground level the stone walling appeared to be unrendered with the soil in direct contact with the stone. There was no visible evidence of a French drain or other drainage gully running along this gable end and I have no adequate evidence to suggest that there is one.
12. Within the bedroom, despite the room still being used, I saw clear evidence of the effects of damp mainly on the gable end wall and the wall with the external door, extending from the floor up to approximately half the height of the room. This was visible as patches of staining and dusting of the paint on the walls, the formation of salts and the corrosion of a metal corner strip. These areas felt damp to the touch. Although I viewed most rooms on the ground and first floor, I did not see or was made aware of any other evidence of damp within the building.
13. The proposed works have been specified by damp specialists and the survey was carried out solely in relation to the one bedroom. It concludes that due to the lack of a dpc and high ground level sloping down at the back of the property, evidence of rising dampness and penetrating damp was found to all three external walls in the room. This was indicated by visible signs of damp and moisture profile readings. They suggest that drilling and injecting a dpc, covering all the walls in a tanking slurry and replastering in a salt retardant sand and cement finish will stop further water penetration.
14. The damp survey focusses predominantly on addressing the failing internal modern finishes and dealing with the symptoms of the saturated walling. It is limited by a number of factors in that it does not show any detailed understanding of the building's special interest and significance, making little reference to its age, its fabric or method of construction. It also focusses on one room only and does not take a detailed and holistic look at the dwelling as a whole and its surrounding context. Other than noting that ground levels are high at the rear of the building, it does not consider all possible sources of the damp and possible contributing factors nor options for dealing with it. I find, therefore, that the detail contained in the survey report is inadequate to specify and justify the proposal, and to understand the impacts of the proposal on the building's special interest/significance.
15. Having viewed the property, I consider that the high ground level adjoining the gable is likely to be the most significant contributory factor to the dampness within this room. Here, the raised ground outside, sloping down the hillside, reaches a pinch point between the gable end and a high roadside wall. The water collecting here appears to have no outlet and must saturate the ground as well as the building fabric alongside. The water will most likely soak into the body of the wall of the building beneath the base of the render. The render above is also likely prevent external evaporation of the moisture adding further to the trapping of the damp. It was evident that the worst patches of damp within the room largely coincided with the areas of walling below ground levels externally. Other contributory factors to the damp may include the solid paving to the side of the room preventing surface evaporation and an over-long gutter

running around the rear wing, discharging into a narrow downpipe which appeared inadequate to deal with the water run-off. The cause of the damp requires specialist investigation and requires a solution based on well-established conservation practice.

16. Whilst the proposed works would prevent the water in the wall evaporating within the room, it would not address the water likely to be trapped within the wall and in my experience, saturated walling over an extended period of time can lead to a deterioration in the building fabric. It can also track around to other parts of the building, potentially causing damp problems elsewhere. Also, because the cause of the damp and potential alternative strategies have not been adequately investigated, it has not been demonstrated that other solutions are not available which would not cause the potential harm which I have identified.
17. Furthermore, I am not convinced that injecting a dpc into the stone walling would have any positive effect on the damp within the walling. Although the walling externally is coursed, the likelihood of the walling being rubble filled means that the injected dpc would be unlikely to create a cohesive barrier to the damp. Therefore, it is likely to be ineffective as a dpc.
18. The appellant suggests that the proposal would only replace modern plaster and that this part of the building has no dpc or interior tanking. It is also suggested that the proposed type of treatment has been carried out on other parts of the building with approval from the Council, and there is no evidence of these treatments causing damage to the building fabric. Whilst I noted during my visit some evidence of localised external drilling suggesting a previously installed dpc in some areas, and there appeared to be internal modern impervious wall finishes, I have no adequate evidence before me of any of these previous works, whether approval was given for them or to demonstrate their effect on the building fabric.
19. Although the proposed works are internal, would not directly affect historic features, and would not affect the appearance of the building, for the reasons outlined above, they still have the potential to cause harm to the wider integrity of the building and its historic fabric which may in turn affect the building's long-term special interest/significance.
20. Considering all of the above, it has not been demonstrated that the proposed works would preserve the special interest and significance of the listed building. Therefore, the expectations of the Act are not met. Paragraph 199 of the Framework advises 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 alteration or destruction of the asset and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage asset as a whole, in the language of the Framework, would more than likely be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal.
21. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use. There is no doubt that the

proposed dpc and tanking of all the walls within the room would be likely to prevent the damp coming through into the bedroom and make it more pleasant and habitable for the occupants. I am also acutely aware of the need to avoid the negative health consequences of damp within buildings, especially affecting children. The creation of a healthier environment and sustaining the occupation of the listed building can reasonably be considered as public benefits. However, it has not been demonstrated that alternative measures are not available which may eradicate the damp without the potentially harmful effects to the building's special interest and significance. As such, I consider that little weight can be given to these benefits. Moreover, I have been given no indication that its viable use as a dwelling is seriously threatened.

22. Given the above, I conclude that the public benefits identified would be insufficient to outweigh the great weight to be given to the harm to the Grade II listed building. As such, the proposal would not comply with paragraph 202 of the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the listed building. Consequently, the proposal would not comply with paragraph 199 of the Framework and the development plan policies insofar as these are relevant.

### **Other Matters**

23. Although not mentioned by either party, I note that the list description refers to West Wickham, a separate listed building (Ref.1171350), attached to the western side of Wickham Grange and Wickham House. It is an early 19<sup>th</sup> century, two-storey house in ashlar limestone and the list description suggests that it may have been built as a weaver's house. I consider that the special interest and significance of this listed building, insofar as it relates to this appeal, is predominantly derived from its age, historic fabric and its architectural details. Both listed buildings are collectively identified as having group value. Although West Wickham is attached to the appeal property, due to the distance from the appeal site and the changing ground levels, I have no evidence to suggest that the appeal proposal would have any harmful effects on its special interest or significance.
24. The appellant has expressed concerns regarding the conduct of the Council during the determination of the application. However, these are matters best addressed by the Council and do not relate to the merits of the appeal before me.

### **Conclusion**

25. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*G Bayliss*

INSPECTOR