



Appeal Decisions

Site visit made on 8 November 2023

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal A: APP/D1265/W/22/3301326

High Pavement, Down Lane, Trent, Nr Sherborne DT9 4SW

- 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 R & A Thomson against the decision of Dorset Council.
 - The application Ref P/HOU/2021/05420, dated 10 December 2021, was refused by notice dated 17 May 2022.
 - The development proposed is the erection of a 1½ storey side extension, a single storey side extension, alteration of rear 2 storey extension, erection of garden walls, erection of replacement garage (demolish existing garage and shed) and relocation of greenhouse.
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Appeal B: APP/D1265/Y/22/3301328

High Pavement, Down Lane, Trent, Nr Sherborne DT9 4SW

- 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 and Mrs R A Thomson against the decision of Dorset Council.
 - The application Ref P/LBC/2021/05421, dated 10 December 2021, was refused by notice dated 17 May 2022.
 - The works proposed are the erection of a 1½ storey side extension, a single storey side extension, the alteration of rear two storey extension, the installation of 2 roof lights, the installation and replacement of windows and doors, and the carrying out of internal and external alterations associated with these works.
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Decisions

Appeal A: APP/D1265/W/22/3301326

1. The appeal is dismissed insofar as it relates to the 1½ storey side extension on the eastern gable and its dormer, and its doorways into the existing property.
2. The appeal is allowed insofar as it relates to all other elements of the proposal, and planning permission is granted for a single storey side extension on the western gable, alteration of rear 2 storey extension, erection of garden walls, erection of replacement garage (demolish existing garage and shed) and relocation of greenhouse at High Pavement, Down Lane, Trent, Nr Sherborne DT9 4SW in accordance with the terms of the application, Ref P/HOU/2021/05420, dated 10 December 2021, and subject to the conditions in Conditions Schedule A below.

Appeal B: APP/D1265/Y/22/3301328

3. The appeal is dismissed insofar as it relates to the 1½ storey side extension on the eastern gable and its dormer, and doorways into the existing property.

4. The appeal is allowed insofar as it relates to all other works proposed and listed building consent is granted for a single storey side extension on the west gable, the alteration of rear two storey extension, the installation of 2 roof lights, the installation and replacement of windows and doors, and the carrying out of internal and external alterations associated with these works at High Pavement, Down Lane, Trent, Nr Sherborne DT9 4SW in accordance with the terms of the application, Ref P/LBC/2021/05421, dated 10 December 2021, and subject to the conditions in Conditions Schedule B below.

Procedural matters

5. In the interests of clarity I have had regard to the more detailed description of the proposal found on the decision notice and the appeal form, rather than the briefer description on the application forms.

Main Issues

6. The main issues with these appeals are the effect of the works on the special architectural and historic interest of this listed building, whether they would fail to preserve the character or appearance of the Trent Conservation Area in which the site sits, and whether they would harm the significance of either of these designated heritage assets.

Reasons

7. High Pavement is a 2-storey Grade II listed house that dates from the late 17th Century, though has been much altered since. When seen from the front, and when approaching from the east and west, it still broadly maintains its original form of a dwelling with dominant gables, and chimneys at either end. Moreover, its front elevation displays a clear and balanced arrangement, with detailing of windows that reflect its age and style. When this is taken with its prominent location, standing apart from neighbouring property in an elevated position at the back of the pavement, it can be perceived as a house of some status. It is also generally constructed out of appropriate materials for a dwelling of this age and type, and internally the original plan form on the ground floor of 2 large rooms either side of a hallway is still apparent. To my mind such factors contribute to its special architectural and historic interest and result in its significance being historical and architectural.
8. The building has been the subject of various alterations over the last 60 years. At the front, buttresses have been added but these do not compromise the significance to any notable degree. However, a porch has been built over the front door that relates poorly to the integrity of the elevation. Modern windows have also been added to each gable, while the rear has been remodelled and internally the first floor has been rearranged, and again these works have also diminished the historic significance of the building to some extent.
9. A simple, small single storey lean-to with a mono-pitched roof is proposed to the western gable. This would be set back from both the front and rear elevations. It would not be a dominant feature, but would be clearly subservient. Its size, design and location mean it would not challenge the building's frontage, and so, if finished in suitable materials it would not harm its significance.
10. On the eastern gable, it is proposed to build a 1½ storey extension with a rear dormer. This would have an appreciably larger footprint than the proposed

lean-to on the west, and would fill much of the gable's width, extending close to the front elevation with windows facing on to the pavement. It would also have a more dominant roof when compared to the lean-to, as it would be taller, rising to above the height of the front eaves, and it would be of a dual pitch, running out from the dwelling's existing side wall and culminating in a gable. Overall, I consider that its size and location mean this would be a particularly striking addition to the dwelling that would compromise the apparent form of the house when seen from the south and east. Moreover, although smaller, it would challenge to an adverse degree the existing dominance and balance of the front elevation. As such, this element would cause harm, albeit less than substantial, to the significance of the building, and would fail to preserve its special architectural and historic interest.

11. I recognise the appellant could increase the size of the hedge along the road frontage, so screening the east gable to some extent. However, that would be clearly distinct and separate from the building so would not have a comparable impact. Views from the east are curtailed a certain amount by planting, but are nonetheless sufficient to give rise to the concerns stated.
12. Turning to the other alterations proposed, the introduction of a doorway into each of the gable walls would not compromise the building's historic plan form that is still apparent at ground floor level. This is because, internally at least, those doorways would be clearly to ancillary elements. Indeed, I am aware that the plan form remains apparent at the moment despite the existing door in the rear wall of the kitchen. The alterations to the rear first floor element and the enlargement of the rear extension would have no greater effect on the building's significance than what is there now. The rooflights would not be inappropriate if of a suitable design and the re-arrangement of the first floor would not cause a loss of any historic fabric or floor plan. These factors would not cause harm to the asset's significance. The replacement of the porch, the rear bay, and various doors and windows would be beneficial to the significance of the dwelling as they would respect its special architectural and historic interest to a greater extent. However, the benefits such works would bring would not outweigh the harm caused by the eastern extension.
13. Finally, with regard to the outbuildings, the new garage would be of a more sensitive design than the one it replaced, and would be some distance away, while the greenhouse would be a light structure that is already present. Neither would therefore affect the setting of the house in a way that would harm its significance.
14. With regard to the effect on the Trent Conservation Area, this covers a variety of buildings of a range of ages and styles that reflect the organic evolution of this rural village over many centuries. When taken with their overall layout and arrangement, such aspects add to its character and appearance, and enhance its historical significance. Although not identified as a 'key' listed building in the conservation area appraisal, as a notable dwelling of some age and status I consider the appellants' home makes a positive and valued contribution to the conservation area.
15. Side extensions are common forms of development throughout the older part of Trent. However, by harming the significance of a listed building, which can be reasonably considered to be an important contributor to the conservation

area, I consider harm, again less than substantial, would result from this aspect of the scheme to the significance of that asset.

16. The *National Planning Policy Framework* (the Framework) states that great weight should be given to the conservation of a designated heritage asset, and any harm to its significance should require clear and convincing justification. Moreover, if less than substantial harm is caused to the significance of any such asset, that harm should be weighed against the public benefits.
17. I have only found harm resulting from the eastern extension. Although I recognise this would provide additional living space, I have no basis to consider that the future residential occupation of the listed building is in any way dependent upon this or the current accommodation is deficient. As such I am not satisfied that it offers a public benefit that outweighs the harm identified. I have also had regard to the comments from local residents but these do not lead me to a different view.
18. Accordingly I conclude the 1½ storey side extension would fail to preserve the special architectural and historic interest of this listed building, and as a consequence it would not preserve the character or appearance of the Trent Conservation Area, causing less than substantial harm to the significance of each of those designated heritage assets. In the absence of any public benefits to outweigh this harm, this aspect of the proposals would conflict with Policies ENV4 and ENV12 in the *West Dorset, Weymouth & Portland Local Plan 2015*, which broadly seek good design that reflects its context and has regard to the significance of heritage assets, and with the Framework.
19. However, given my limited area of concern, the parties have both agreed that split decisions can be issued, refusing permission and consent for just the eastern extension as it is distinct and severable from all other elements, and granting permission and consent for the remainder. This is a view I share.

Conditions

20. In the interests of clarity, conditions should be imposed requiring the commencement of works/development in 3 years, and the scheme should be undertaken in accordance with the approved drawings. Having regard to safeguarding the character and appearance of the area and the heritage assets, materials should be approved in relation to both appeals, while, under Appeal B, door and window details should be approved and the details of rainwater goods should be stipulated.

Conclusion

21. Accordingly I conclude the appeals should be dismissed insofar as they relate to the side extension on the eastern gable, with its dormer and its associated doorways to connect it to the existing property, but conclude the appeals should be allowed insofar as they concern all other works.

JP Sargent

INSPECTOR

Conditions Schedule A

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. Unless otherwise amended under the conditions below, the development shall be undertaken in accordance with the following approved drawings insofar as relevant to the elements of the scheme permitted:
 - Proposed site plan 20/3306/200 D
 - Proposed floor plans 20/3306/201 F
 - Proposed elevations 20/3306/202 E
 - Proposed garage plans 20/3306/203 B
 - Window detail 20/3306/204
 - Porch details 20/3306/205
 - Detail Sheet 3 & 4 Staircase & Dormer Sheet 20/3306/206
 - Proposed Roof Plan 20/3306/208
3. No works above damp course level shall take place until samples of materials to be used in the construction and finish of walls and roofs have been made available on site and retained in that location thereafter for the inspection and written approval of the Local Planning Authority. Construction of the development hereby permitted above damp course level shall not commence until these samples of materials have been approved in writing by the Local Planning Authority. The development shall thereafter accord with the materials that have been approved in writing.
4. No works above damp course level shall take place until a sample panel measuring at least 1 metre by 1 metre, using the approved facing stone and demonstrating the proposed materials, coursing, mortar mix and pointing detail, has been constructed on site. Construction of the development hereby permitted above damp course level shall not commence until this sample panel of the stonework has been approved in writing by the Local Planning Authority. The works shall thereafter accord with the detailing in the sample panel that has been approved in writing and the sample panel shall remain on site until the external walls for each element of the proposal have been constructed.

Conditions Schedule B

1. The works hereby permitted shall begin not later than 3 years from the date of this decision.
2. Unless otherwise amended under the conditions below, the works shall be undertaken in accordance with the following approved drawings insofar as relevant to the elements of the scheme permitted:
 - Proposed site plan 20/3306/200 D
 - Proposed floor plans 20/3306/201 F
 - Proposed elevations 20/3306/202 E
 - Proposed garage plans 20/3306/203 B
 - Window details 20/3306/204
 - Porch details 20/3306/205
 - Detail Sheet 3 & 4 Staircase & Dormer 20/3306/206
 - Proposed Roof Plan 20/3306/208
3. No works above damp course level shall take place until samples of materials to be used in the construction and finish of walls and roofs have been made available on site and retained in that location thereafter for the inspection and written approval of the Local Planning Authority. Construction of the works hereby permitted above damp course level shall not commence until these samples of materials have been approved in writing by the Local Planning Authority. The works shall thereafter accord with the materials that have been approved in writing.
4. No works above damp course level shall take place until a sample panel measuring at least 1 metre by 1 metre, using the approved facing stone and demonstrating the proposed materials, coursing, mortar mix and pointing detail, has been constructed on site for inspection by the Local Planning Authority. Construction of the works hereby permitted above damp course level shall not commence until this sample panel of the stonework has been approved in writing by the Local Planning Authority. The works shall thereafter accord with the detailing in the sample panel that has been approved in writing, and the sample panel shall remain on site until the external walls for each element of the proposal have been constructed.
5. Prior to installation of new and replacement external doors and windows (including rooflights), detailed drawings (at a scale of 1:5 sections, and 1:20 elevations) showing the design, materials, colour, finish and construction specifications of all external doors and windows shall be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter accord with the approved details.
6. All new and replacement rainwater goods shall be painted black cast metal of half round profile.