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# Appeal Decision

Site visit made on 7 November 2024

**by A Dawe BSc (Hons), MSc, MPhil, MRTPI**

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

**Decision date: 29 November 2024**

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**Appeal Ref: APP/D1265/Y/24/3348635**

**21 Glyde Path Road, Dorchester, Dorset DT1 1XE**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Mr & Mrs Fields against the decision of Dorset Council.
  - The application Ref is P/LBC/2024/01796.
  - The works proposed are described as: Amend the residential lower ground floor from house storage to ancillary accommodation.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The description of the proposed works in the above header is taken from the original application form. However, I note that the Council's decision notice and the appeal form describe the proposed works as *Alterations to convert lower ground floor to ancillary accommodation. Install stud walls and re-instate windows and light wells*. This description more accurately describes the proposed works and I have determined the appeal on that basis.

## Main Issues

3. The main issues are whether the proposed works would preserve the significance of the Grade II listed building known as 21 Glyde Path Road (Ref: 1218241) (the LB), and any of the features of special architectural or historic interest that it possesses, and the extent to which they would preserve or enhance the character or appearance of the Dorchester Conservation Area (the CA).

## Reasons

4. The LB derives its significance from being an 18<sup>th</sup> century, thought to be early Georgian period, house including a characteristic degree of symmetry to the ordered front elevation comprising two ranges of 19<sup>th</sup> century timber sash windows either side of the front door. An additional doorway is positioned to one side of that front elevation providing access to the existing lower ground floor level whereby there is no direct access internally between that floor and the rest of the house.
5. That lower ground floor level, including the historic barrel-vaulted ceiling, stone walls, and recesses likely to have been historically used to hold candles, makes an important contribution to the LB's architectural and historic significance. There is evidence internally within the lower ground floor, of two

previous light wells opening to the street. However, these have been filled in externally with stone matching in with the rest of the front stonework. There is no clear indication of their former presence externally other than modest sized air bricks set into the walls. The two void areas relating to those former light wells are still clearly visible internally, albeit partially filled in with stone and, in the larger of the two, with modern brick. It is unclear as to when such infilling would have occurred or the size of the former opening externally. However, the current external form presents an element of layering to the historic significance of the building.

6. The submissions refer to surface efflorescence to the brickwork of the lower ground floor barrel-vaulted ceiling, which I saw to be present on a significant amount of that surface. However, there is no clear evidence of structural problems associated with that ceiling or in the lower ground floor generally.
7. Whilst No 21 forms part of a group of historic buildings comprising Nos 21 to 24 and 31 to 35 together with 19 Colliton Street, it is thought to have originally been built on its own as a farmhouse for a tenant farmer. The adjoining properties at Nos 22 and 23 are therefore thought to have been added later, reflected by the different façade materials and some of the design features. The lower ground floors of those properties also have habitable rooms with no access directly from the street. The light wells to those properties at the front are therefore not necessarily reflective of what is thought existed at No 21 or a basis for the proposed lightwells' design. There is also no clear evidence that the lower ground floor area of No 21 has historically been used as a habitable room, including as a kitchen; not least due to there being no internal interconnectivity to the ground floor, but also as there is no clear evidence of features to indicate such past use, other than for storage, as it is currently used for.
8. The CA derives its significance from its historic core and late Victorian suburbs, with a variety of historic buildings, including in terms of their designs and materials used. Those comprising the area relating to the site and its vicinity reflect that variety with a mix of historic as well as more modern buildings, and with differing external materials. Those forming the group including No 21 are also varied in design, use of materials, and the degree of symmetry to their frontages. The street on the opposite side from Nos 21-23 is characterised by mature trees set behind a high stone wall.
9. The works would include the insertion of stud walling around the perimeter of the room concerned, and to create the proposed shower room and separate the bedroom and living room spaces. The perimeter wall would be offset from the existing stone wall with resultant minimal intervention with that existing fabric. It would also not cover any of the barrel-vaulted ceiling.
10. It is also claimed that the historic candle recess features referred to previously would not be covered up. However, no clear details in elevation or section drawing form have been submitted to show how the proposed shower room walls would relate to the existing walls and those recesses; whilst enabling a functional shower room that prevents water egress to the existing stonework. Any covering up of those recess features would be harmful to the historic and architectural integrity of the LB.
11. A section drawing submitted appears to show the proposed partition between living room and bedroom areas, which is shown to abut the lower part of the

barrel-vaulted ceiling. However, I do not have full details, such as section drawings, to clearly show how the proposed shower room partition would relate to that ceiling. In both cases, there are insufficient details relating to the way in which such stud walls would tie in with the ceiling, having regard to any potential effect on the LB's historic fabric.

12. The height of the partition walls would be limited, such that the barrel-vaulted ceiling would be largely kept exposed. However, that partitioning of the existing single space, and partial breaking up of the existing continuity in the ceiling's appearance, would inevitably change the historic character of that lower ground floor area, regardless of the extent to which the works concerned would be reversible.
13. The Appellant also refers to how details of measures for removing the existing efflorescence from the ceiling, together with repointing and sealing it, could be secured by a condition. It is not clearly evident that such measures would be needed to maintain the lower ground floor space and ceiling as it is and as currently used. Were such measures necessary to ensure suitability for the proposed use as habitable space, and in the absence of substantive details at this appeal stage, I cannot be certain from the evidence submitted that any such sealing works would not harm the integrity of the historic brickwork and associated mortar, including in terms of its structural qualities and appearance. It would therefore also be inappropriate to leave any approval of such measures to be dealt with by a condition.
14. With regard to the Council's concerns about additional moisture created by the proposed shower affecting the ceiling brickwork, as I have previously referred to, there is no clear evidence of structural problems associated with the ceiling or in the lower ground floor generally. Together with the proposed measures to mitigate for any such moisture level rises, I consider the proposals unlikely to cause harm to the fabric and structure of the LB in this particular respect. The Appellant claims that in the event of any future water ingress to the building's structure, the proposed works would ensure this can be easily collected and disposed of. However, there is no substantive evidence of any current threat from water ingress to the LB's structure; or that its structural integrity, protection against any possible future deterioration, and the longevity of the LB, would rely on the works concerned.
15. In order to create the opening for the lightwell windows there would be a loss of external wall fabric relating to the layered history of the LB referred to previously. Furthermore, there is no clear evidence as to the design of any past lightwell openings from which to gauge the extent to which any reinstatement would reflect them. Additionally, notwithstanding the submission of section and plan form drawings and a description of the proposed lightwells' design, no front elevation drawing details have been submitted for them to properly assess their relationship with the rest of the LB's frontage.
16. In relation to the proposed lightwells, the Appellant claims that the proposed works would include the removal of inappropriate modern additions and restore original features, albeit with a more modern and, as claimed, appropriate form of single glazing. This would include removal of the air bricks and associated infilling materials. However, as I have found, that exterior infilling represents layering in the building's history and I have no substantive

basis to consider it inappropriate, including in respect of the modest sized air bricks. Internally, whilst there is some non-original and modern infill material, any replacement of that would include the proposed use of modern concrete to construct the walls of the reinstated light wells. As such, any removal of that existing infill material in itself would not amount to a clearly positive factor in terms of the LB's significance.

17. The proposed internal works would not have any effect on the character or appearance of the CA. However, the proposed lightwell openings would alter the external front elevation to some degree and thereby have a bearing on the CA. I acknowledge the presence of those neighbouring existing lightwell features relating to Nos 22 and 23. However, having regard to my findings above concerning the effects of the proposed external works on the LB; the LB's differing circumstances to those other associated properties, as referred to previously; and in determining this appeal on its own merits; any harm caused by those external works to the LB would in turn weaken the integrity and significance of the CA.
18. For the above reasons, including in the absence of sufficient details in some respects, the proposed works would fail to preserve the significance of the LB and features of special architectural or historic interest that it possesses and would fail to preserve the character and appearance of the CA. The proposed works would therefore fail to satisfy the requirements of sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed works would also be contrary to paragraph 203 of the National Planning Policy Framework (the Framework) which highlights, amongst other things, the desirability of sustaining and enhancing the significance of heritage assets. For the purposes of the planning balance, which I shall come on to, this harm carries considerable importance and weight.
19. Paragraph 205 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to state, amongst other things, that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
20. Given the nature of the proposals in relation to the LB as a whole and their small-scale in the context of the CA generally, the harm caused to those heritage assets would be less than substantial in this case. Having regard to paragraph 208 of the Framework, as I have found there would be less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposals including, where appropriate, securing their optimum viable use.
21. It is claimed that the works concerned, including changing the existing uncontrolled environment within the lower ground floor to a controlled one, would protect the LB against any future harm caused to it through water ingress. However, as I have found above, there is no substantive evidence of any current structural threat or that the works would be necessary in this respect to ensure the longevity of the LB. I therefore give little weight to this benefit.
22. In respect of the proposed lightwells, claimed to include removal of inappropriate modern additions and restoring original features, in light of my

findings on the historic layering, particularly in respect of the externally infilled areas, this would therefore not represent a benefit; and internally, the removal of existing infill material would not amount to a clear net benefit, due to the intended use of modern materials to construct the lightwell walls.

23. For the above reasons, the public benefits would be insufficient to outweigh the harm and my findings that the proposed works would fail to preserve the significance of the LB and features of special architectural or historic interest that it possesses and would fail to preserve the character and appearance of the CA.

### **Conclusion**

24. For the reasons given above the appeal should be dismissed.

*A Dawe*

INSPECTOR