



Appeal Decisions

Site visit made on 25 October 2024

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2024

Appeal A Ref: APP/A3010/W/24/3345339

The Rosary Church Street, East Markham, Nottinghamshire NG22 0SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Watson against the decision of Bassetlaw District Council.
 - The application Ref is 24/00256/HSE.
 - The development proposed is described as: 'construct a small open porch to the central door on the front elevation in reclaimed materials'.
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Appeal B Ref: APP/A3010/Y/24/3345770

The Rosary Church Street, East Markham, Nottinghamshire NG22 0SA

- 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 Ian Watson against the decision of Bassetlaw District Council.
 - The application Ref is 23/01538/LBA.
 - The works proposed are described as: 'construct a small open porch to the central door on the front elevation in reclaimed materials'.
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Decision

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

Applications for costs

3. An application for costs has been received from Mr Ian Watson against Bassetlaw District Council.

Preliminary Matters

4. The Rosary is a Grade II listed building¹ and lies within the East Markham Conservation Area. I have therefore had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.

Main Issues

6. The main issues are the effect of the proposal on the special interest of the Grade II listed building The Rosary, or any features of special architectural or historic interest which it possesses; and whether the proposal would preserve

¹ List Entry Number: 1267169.

or enhance the character or appearance of the East Markham Conservation Area (the CA).

Reasons

Special Interest and Significance

7. The Rosary is a late eighteenth century house constructed of red brick with linear proportions, set back from the road edge with a sizeable front garden. The generously spaced Yorkshire sash windows to the front elevation have a horizontal emphasis, that reinforces the linear form of the building, and are symmetrically arranged to the front elevation. As a consequence, the façade exhibits a high degree of symmetry, typical of a polite farmhouse of this period. The space between the windows contributes to a reasonably high solid to void ratio. Pertinent to the appeals, the special interest and significance of the listed building is derived, in part, from its polite Georgian architectural aesthetic, linear form and detailing that strongly reflect the architecture of this period. The careful balance and symmetry of the building's polite façade are integral to its significance and special interest.
8. The CA extends over much of East Markham and the adjacent farmland. The CA is characterised by a variety of different buildings ranging from smaller cottages built in the local vernacular to larger houses displaying more polite architecture, including some substantial Georgian properties. These are interspersed with some modern and Victorian dwellings, along with occasional traditional agricultural buildings, some of which have been converted to residential properties. The prevalence of brick and pantile across the built form are unifying characteristics that provide consistency to the streetscene.
9. The mix of polite and vernacular architectural styles and the consistency in materials are elements of the streetscene that contribute to the significance of the CA, insofar as it relates to this appeal. As a late eighteenth century farmhouse displaying elements of polite architecture, The Rosary makes a valuable contribution to the character and appearance of the CA as a whole.

Appeal Proposal and Effects

10. The proposed porch would comprise of an open timber structure over a low brick wall. Through its comparatively significant width and height and the proposed use of substantial timbers, the proposal would dominate this elevation and disrupt its carefully composed façade and linear form. The prominence of the structure would be exacerbated by its overtly Gothic design which would appear distinctly at odds with the polite Georgian architecture of this elevation. I acknowledge that the proposal would utilise some materials present in the existing dwelling and across the CA. Nonetheless, for the above reasons the proposal would appear as an incongruous and imposing addition to the building that would adversely affect its special interest and significance.
11. Owing to its position on the building, the proposal would have limited visibility across the access road and through the existing boundary hedge. However, this visibility would increase at times when the hedge is not in leaf. Furthermore, boundary features tend to change over time and I have no evidence that the hedge is subject to any specific protection. It therefore cannot be relied upon to provide the same degree of screening in the future as it does now. Therefore, as the proposal would result in harm to the special interest of a

building that makes a positive contribution to the character and appearance of the CA, the character and appearance as a whole would not be preserved or enhanced.

12. The appellant has directed me to examples of other porches within the CA some of which are alleged to be located on listed buildings. However, some of these are significantly smaller canopies, whilst others are solid porches, neither of which are comparable with the appeal proposal. Furthermore, none appear to dominate the façade to the extent that would occur through the appeal scheme.
13. Moreover, given that it is The Rosary itself, with its own individual character that is recognised for its special interest, the presence of porches on different unrelated listed and unlisted buildings nearby with likely different histories to the appeal property, is not justification for a porch here. Moreover, evidence of existing harm to the CA is rarely justification for additional harm.
14. As such, for the above reasons, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building of The Rosary, or any features of special architectural or historic interest which it possesses. In addition, it would fail to preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act. For the same reasons it would cause harm to the significance of these designated heritage assets.

Public Benefits and Balance

15. With reference to Paragraphs 207 and 208 of the National Planning Policy Framework (the Framework) in finding harm to a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and nature of the proposed porch, limited to a portion of the ground floor of the building, I find that the harm in this instance would be less than substantial but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
16. The appellant has not advanced any public benefits as part of their submission. There would however likely be minor economic benefits arising from the construction works associated with the proposal. However, these are not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
17. The proposal would not preserve the Grade II listed building of The Rosary, or any features of special architectural or historic interest which it possesses. It would also fail to preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of sections 16(2), 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance heritage assets.
18. The harmful impact would also be contrary to Policy DM8 of the Bassetlaw Core Strategy (2011) and the guidance contained within the East Markham Conservation Area Appraisal & Management Plan (2014) which together seek to ensure development proposals conserve and enhance heritage assets and safeguard townscape and the historic environment.

19. The Council has referenced Bassetlaw Local Plan (2020) Policies ST42 which relates to promoting healthy active lifestyles and ST43 which relates to the protection of community facilities. Neither of these policies therefore have relevance to the appeals before me.

Conclusions

20. *Appeal A:* The proposed development would conflict with the development plan. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
21. *Appeal B:* For the above reasons and having regard to all matters raised I conclude that Appeal B should be dismissed.

Paul Martinson

INSPECTOR