
Appeal Decisions

Site visit made on 4 February 2025

by R Catchpole BSc (hons) PhD MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 17 February 2025

Appeal A: APP/A3010/W/24/3355917

Bothamsall Hall, Church Lane, Bothamsall DN22 8DN

- 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 Richard Davis against the decision of Bassetlaw District Council.
 - The application reference is 24/00804/HSE.
 - The development proposed is described as: "Retain the removal of two pairs of stone mullion windows and section of wall and replaced with glazed doors/panels with stone mullion surrounds, replacement of external doors to billiard room, open sided canopy to outside BBQ area and the installation of a biomass boiler flue to an existing outbuilding".
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Appeal B: APP/A3010/Y/24/3355918

Bothamsall Hall, Church Lane, Bothamsall DN22 8DN

- 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 Richard Davis against the decision of Bassetlaw District Council.
 - The application reference is 24/00805/LBA.
 - The works proposed are described as: "Internal alterations, external doors, open sided canopy and flue to outbuilding".
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Decision

Appeal A

1. The appeal is dismissed

Appeal B

2. The appeal is dismissed.

Preliminary Matter

3. The proposed works have already been carried out and the applications have been made retrospectively. I have seen the effect and I am satisfied that the works have been carried out according to the plans that are before me. This is the basis upon which these appeals have been determined.
4. As the works are in a Conservation Area and relate to a Listed Building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

5. Whilst not a Reason for Refusal (RfR), the Council has highlighted the fact that the appeal site is within the Bothamsall Conservation Area (the CA) and that the building is also situated within the setting of several other listed buildings. It considers these to be St Peter's Church, Church Farm and Post Office Farm. It also notes the fact that Bothamsall Castle Scheduled Monument is situated approximately 450m to the west.
6. Bearing in mind the nature of the works that have been carried out, separation distances and the degree of enclosure that characterises Bothamsall Hall, I am satisfied that the significance of these assets, as derived from their settings, has been preserved and that no harm has resulted.

Main Issue

7. The main issue is whether the works have preserved a Grade II listed building known as "Bothamsall Hall" (Ref: 1370118) (the LB), and any of the features of special architectural or historic interest that it possesses.

Reasons

8. The LB was built by the Duke of Newcastle around 1845 in conjunction with the Church of Our Lady and St. Peter which lies to the west, with the house having served as its vicarage. A manor house is thought to have previously occupied the site which was wholly or partially demolished when the earliest phase of the present building was constructed in the mid-19th century. The vicarage became a private residential dwelling in the early 20th century when a large domestic wing was added to the west and, some years later, a billiard room.
9. The 19th century vicarage is two storeys in height with frontages to the north, east and south and early 20th century extensions to the west. The appellant characterises the earlier phase as a 'successful agglomeration of architectural styles ranging from more Gothic southern and eastern elevations to a Tudorbethan northern frontage, all finely constructed with a high-quality palette of materials' with ashlar predominating in this respect. The window fittings to the 19th century phase are highly varied and include, among other things, plain steel frame casements, diamond leaded casements, and multi-pane, timber sash windows.
10. The northern frontage of the 20th century domestic wing is described as 'lacking any proportion or form, with an imbalanced arrangement of fenestration between ground and first floors'. I observed that it has little architectural merit and find its institutional character particularly unsympathetic to the earlier phase of the LB. The billiard room, which is the main focus of these appeals, is the final substantive addition. This structure infilled a yard bounded by the 19th century vicarage to the east and the early 20th century domestic wing to the north.
11. It is a single storey structure with a parapet surrounding a flat, concrete roof. A large, modern rooflight has been inserted as a result of its recent conversion to a kitchen. It is constructed from rough brick with a pebbledash covering. It has pleasing stone dressings to its openings which includes mullion and transom windows, a canted bay and moulded double entranceway on its southern elevation as well as a moulded cornice and parapet copings. All windows are lead-paned and steel framed.

12. The extension was constructed during the inter-war period and embraces the Domestic Revival style which also echoes elements of the 19th century phase in a more successful manner than the domestic wing. I consequently do not find that it has the very low degree of architectural interest attributed to it by the appellant. This is because the mullion windows are integral to the design of this structure, signify a particular architectural style and contribute to its visual integration with the earlier phase of the house.
13. The other structure relevant to these appeals is a brick outbuilding that defines one side of a garden, immediately to the west of the billiard room. The appellant notes that historic maps show that the wider yard was characterised by outbuildings, growing boxes and greenhouses. It is a simple rectilinear structure with a striking, high-pitched, pantile roof. The simple form speaks to its ancillary function and is in keeping with a subservient, utilitarian structure.
14. Given the above, I find that the special interest of the LB, insofar as it relates to these appeals, to be primarily associated with the expression of the Domestic Revival style through its dressed stonework and the diminutive character of its ancillary structures.
15. Although a wider range of internal works have been undertaken that the Council finds regrettable, its RfRs deal with a narrower set of issues relating to the design of two sets of external doors, internal finishes and the loss of window shutters, the loss of two pairs of stone mullion windows and changes to the brick outbuilding. Taking each of these in turn.
16. The glazed external doors on the western and southern elevations of the billiard room are a modern design but one that is well related to the metal windows that already characterise the billiard room and main house. I observed that their design is clearly differentiated rather than being incongruent. As such, they represent an honest addition. Although the doors that were replaced on the southern elevation had a greater degree of subdivision, they had heavy frames and glazing bars and were of little aesthetic merit. The replacement design is much lighter and in keeping with existing materials. Consequently, I find the doorway in the southern elevation to have a beneficial effect.
17. I note from the Built Heritage Impact Assessment (BHIA) that the coving, joists and board and batten panelling all dated from the mid-late 20th century and were of little architectural or aesthetic merit. This is not disputed by the Council but it does take issue with the removal of the shutters which were, most likely, original features. The appellant accepts that they were contemporary to the construction of the billiard room, that they were of modest architectural interest and that their removal has brought about a 'very low level of harm' to the LB. I find the removal of this original fitting to be both harmful and unsympathetic.
18. The BHIA photographs indicate that the previous interior finish was very far from opulent and the appellant disputes the Council's evidence that this particular billiard room would have been analogous to the higher status Victorian or Edwardian billiard rooms associated with the examples the Council has relied upon. It is clear that there is little evidential weight to the sources that have been used given there are generally rooted in an earlier period and are completely unconnected to any historical records for the house itself. As such, the creation of an opulent interior would be wholly inauthentic at this location. The space is light

and airy and akin to a more appropriate Arts and Crafts style billiard room, as suggested by the appellant. I do not find the finishes excessively stark or that it is a retrograde step when compared to the pastiche wooden panelling and other finishes that were previously present. Overall, I find the treatment of the internal walls to have a neutral effect.

19. The loss of the stone mullion windows and part of the wall underneath represents a significant loss of historic fabric which directly erodes the architectural quality of this later addition. There was no clear or convincing justification given that an access to the garden area was already present in its southern elevation. The formation of a secondary access erodes the internal layout through changes in the historic pattern of flow. The south-facing doorway also has a clear relationship with the gardens and expansive landscape views beyond that would have originally been present. Whether or not the pebbledash came later is immaterial as the windows were a strong and integrative architectural feature in their own right. This is not negated by the greater architectural value of the southern elevation and the comparatively lower architectural significance of the western elevation or its ability to accommodate greater change in comparison to the historic core of the LB. This is because the architectural quality of this elevation has been eroded through the complete loss of a specific and valued architectural feature.
20. The barbeque (BBQ) canopy and metal flue both represent highly incongruent, alien structures. The massing and shape of the canopy causes significant visual disruption to the southern facing roof slope. Even though the sides are open, both the canopy and BBQ paraphernalia also obscure the southern elevation of the building and interrupt the ancillary relationship with the main building through their juxtaposition. The flue also disrupts the roof slope with its contrasting materials and modern design. The diameter is significant and its projection above the roof apex adds to its uneasy and inappropriate prominence. These alien features also draw attention away from the main building.
21. Given the above, I find that some of the works have harmed the special interest of the LB. I acknowledge the beneficial effect of the southern doorway. However, this is not capable of outweighing the harm that I have identified. Despite one neutral effect, when taken together, I find that the completed works have failed to preserve the special interest of the LB.
22. Paragraph 212 of the National Planning Policy Framework (2024) (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
23. Given the extent of the effect, I find the harm to be less than substantial but nevertheless of considerable importance and weight. Where such works have led to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits, including, where appropriate, securing its optimal viable use.

24. I accept that the internal doors on the eastern side of the room and the removal and replacement of a tiled floor in reception hall are public benefits. Added to this is the public benefit arising from the external doors in the southern elevation that I have already identified. Collectively, I give modest weight to these benefits because of their limited extent and localised nature.
25. However, I do not find that these benefits are sufficient to outweigh the harm that I have identified which carries great weight. I also note that the continued viable use of the appeal property as a residential dwelling is not dependent on the completed works as the building has an ongoing residential use that would not cease in their absence.
26. Given the above and in the absence of public benefits that outweigh the harm that has been caused, I conclude that, on balance, the completed works have failed to preserve the special historic interest of this Grade II listed building.
27. This fails to satisfy the requirements of the Act, paragraph 210(a) of the Framework and conflicts with Policies ST40 and ST41 of the Bassetlaw Local Plan 2020-2038 (2024). These seek, among other things, to ensure that the historic environment and the significance of individual assets are conserved and enhanced. They also seek to ensure that development affecting such assets is sympathetic in terms of its siting, size, scale, height, alignment, proportions, design, building techniques, materials and detailing

Conclusion

28. Given the above and considering all other matters raised, the appeals should be dismissed.

R. Catchpole

INSPECTOR