
Appeal Decision

Site visit made on 16 January 2025

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2025

Appeal Ref: APP/D1265/W/24/3340300

Alma Terrace, Grove Road, Portland DT5 1DQ

- 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 Grant Purnell of Eastville Stores Ltd against the decision of Dorset Council.
 - The application Ref P/FUL/2023/03655, is dated 20 June 2023.
 - The development proposed is refurbishment and conversion of 6no. existing washhouses, including the addition of a first-floor mezzanine & erection of a single storey extension to each existing washhouse to create 6no. residential units.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Revised drawings were submitted with the appeal which incorporate cycle stores for each proposed dwelling. As this is a minor change that could likely have been addressed by a planning condition, I had regard to the revised drawings without prejudice to any party.
3. During the appeal the Council submitted an Annual Position Statement which identifies Dorset Council to have a 5.02 year supply of deliverable housing sites, with this position fixed until the expiration of the Annual Position Statement in October 2025. Given that this document is of material relevance to the proposed development, I took it into account in my decision.

Main Issues

4. The appeal site comprises a set of six individual former washhouses and associated land to the rear of Alma Terrace on the Isle of Portland. Alma Terrace forms the Grade II listed building '1-12 Alma Terrace with Front Railings' and the former washhouses are also a separate Grade II listed building 'Wash Houses and Connecting Boundary Wall to Rear of Alma Terrace'.
5. Within this context, the main issues for this appeal are:
 - the effect of the proposed development on the architectural and special interest of the washhouses and the setting of Alma Terrace; and
 - whether or not adequate living conditions would be created for future residents.

Reasons

Listed buildings

6. Alma Terrace is a truncated three-storey terrace of circa late 19th Century former warder's residences built to house staff at the adjacent prison (now HMP/YOI Portland). Each house was subdivided to flats in the 1980s, although externally the original dwellings remaining legible within the terrace. The significance of Alma Terrace, aside from being an interesting example of high-quality, planned worker housing, principally lies in its sumptuous ashlar Portland stone walls, original front railings and its Victorian detailing.
7. At the back of the rear gardens of Alma Terrace, built against a long prison wall, are the former washhouses. The list description identifies them as contemporaries of the terrace, but the appellant's heritage evidence demonstrates that they are more likely Edwardian era replacements built aside previous structures, which were then removed. Redundant as washhouses, several are now used for domestic storage in association with some of the flats.
8. The most important parts of the washhouses' significance are their unusually grand Portland stone ashlar walls, their modest, ancillary scale, their sturdy, two stage stacks, and the surviving internal copperwork sinks and boilers within brick substructures. There is clear evidence of damage to some of these internal fixtures, presumably due to careless storage use. Whilst these internal fixtures may be of low significance viewed in isolation, they are not 'useless' as is put to me, but rather artefacts which serve to evidence the historic purpose of the washhouses. They are a key element of this listed building as a whole.
9. The list description states that the washhouses 'belong' to Alma Terrace. This sense of belonging is key to the significance of the washhouses, which still read as functional adjuncts to the terrace. This continuing relationship offers an interesting insight into daily life for prison staff and their families. That the washhouses were somewhat later additions to Alma Terrace does not markedly diminish their significance, nor establish a precedent for harmful change.
10. The proposal would significantly extend each washhouse to the clear detriment of their modest scale and plan. Whilst I note that the areas of stone flank walling that would be removed were previously reworked and are less well dressed than the other elevations, there would nonetheless be historic fabric loss. The extensions would be set down and slightly in from the washhouses, offering some subservience. However, they would also copy the washhouses in the use of slate and stone, and in the dimensions of the new front window. This would confuse the modern and the historic, particularly given that there were former Victorian structures in the general location of the proposed extensions.
11. Inside, the original fittings would be removed, and mezzanines and stairs added, robbing the interiors of their original layout and removing the critical functional legibility of these spaces. The severance of the washhouses from the terrace and the creation of the new dwellings would also cause intrinsic harm.
12. Whilst the proposal would renovate the former washhouses, the elements of the building that appear most in need of renovation, e.g. the internal brick bases and copperwork, would be removed. The elements that would be retained, such as the Portland stone walls, are in a comparatively better condition. Renovation is not therefore a compelling heritage gain within the scope of these otherwise

highly deleterious works. Removing the interior fixtures and recording them would not be a benefit to the listed building itself, at all.

13. Consequently, bringing this all together, the net result is decisively one of harm to the significance of the washhouses. The Planning Practice Guidance states that a substantial degree of harm to a designated heritage asset is a high bar, so it may not arise in many cases. Nonetheless, given the scale of intervention and the way the change would go to the heart of the listed building's significance, substantial harm would arise in this case. Separately, as Alma Terrace would lose its direct association with its historic outbuildings, less than substantial harm would also be caused to the setting of this listed building.
14. The National Planning Policy Framework (the Framework) informs us that great weight should be given to a heritage asset's conservation and that any harm to heritage assets requires clear and convincing justification. Substantial harm to Grade II listed buildings should be exceptional. Paragraph 214 goes on to state that where substantial harm is identified, consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Alternatively, a set criteria must be met. For instances of less than substantial harm, this should be weighed against the public benefits of a scheme, including securing the asset's optimum viable use.
15. Given the assets involved in this case, the Framework's approach must be taken within the context of s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets a strong presumption against a grant of permission for development that would cause harm to a listed building.
16. Dealing with the washhouses first, the Government is seeking to significantly boost the supply of housing, and the scheme would contribute six dwellings to the local supply, with associated socio-economic benefits. As the units would be small, the area's housing mix would likely be improved. Biodiversity enhancements could be incorporated into the conversion work. Given the modest quantum of the development, these public benefits would be limited.
17. In terms of the public benefit of securing the listed building's conservation, this would come at great expense to its actual significance. I am also acutely aware that the former washhouses already have a residential land use. The heritage evidence highlights that they are generally in a fair condition and have a degree of protection given their sheltered location. Issues appear to largely relate to water ingress through windows and roofs and the need for repointing. I do not prescribe to the notion that incomes on Portland preclude the general maintenance of outbuildings in these respects. Rather, I see no reason why standard remedial and maintenance work, under the typical responsibilities that come with property ownership, could not ensure the asset's conservation. Damaged brickwork can be repaired and the careless treatment of internal fixtures by tenants seems an issue that could be resolved with communication.
18. In terms of recording, this would be a negligible public benefit given the above, and could be carried out without removing the internal fixtures. Similarly, the benefits of moving the coppers to a museum would be modest, as it is their preservation in situ that underpins the significance of the listed building. The appellant's argument that the copperwork will corrode and cannot be retained long term appears applicable whether the copperwork is left where it is or, as proposed, it is removed with limited examples displayed elsewhere.

19. The public benefits of the scheme are therefore limited and fall well short of being exceptional. Addressing the individual criteria in Paragraph 214, the current use of the listed building, incidental to the residential occupation of Alma Terrace and echoing the past, is a viable and reasonable use that I believe enables its conservation. I have some sympathy with the opinion that storage is a disappointingly lowly end use for a listed building of this quality. Ultimately, however, it is certainly a more sympathetic use than one which would denude the listed building of key elements of its significance.
20. As for the setting of Alma Terrace, the aforementioned public benefits also fail to justify the less than substantial harm that would arise to its significance when great weight is afforded to the asset's conservation. I would have reached the same conclusion with reference to the washhouses, had less than substantial harm, rather than substantial harm, been identified.
21. Accordingly, the proposed development would have an unacceptable effect on the architectural and special interest of the washhouses and the setting of Alma Terrace. In this respect, the proposal would conflict with the heritage and design objectives of Policies ENV4, ENV10 and ENV12 of the West Dorset Weymouth and Portland Local Plan (adopted 2015) (the Local Plan), Policies Port/EN4 and Port/EN7 of the Neighbourhood Plan for Portland 2017-2031 (made 2021) (the NP) and the Framework.

Living conditions

22. The dwellings would fall below the minimum standard of 37 square metres set out in the 'Technical housing standards – nationally described space standard' for a single storey dwelling by 1 square metre. Whilst it can be argued that the shortfall would be 'negligible', the standard is a minimum standard, not an aspirational standard, and so logically any shortfall from it is significant. In practical terms, despite a clearly careful design approach, the internal layouts would simply be too cramped, and this would be compounded by the narrow dimensions of the spaces and the very low ceiling height in the bedrooms.
23. Amongst other things, Policy ENV11 of the Local Plan requires schemes to provide private garden space appropriate to the uses proposed. Given the level of confinement residents would experience inside the homes, there would be a heightened need for adequate private outdoor space. The proposed gardens would not feel private but would instead be heavily overlooked from Alma Terrace. The scale of the terrace, together with the high prison wall, would create an oppressively enclosed living environment across the properties, and would also impinge upon levels of sunlight and daylight experienced.
24. Whilst it is fair to point out that people have a choice as to where they live, that does not diminish the Government's desire, as set out in the policy of the Framework, that decisions should ensure a high standard of amenity for future users. Similarly, whilst I appreciate that the scheme is put forward on the basis of heritage conservation, and should be considered within that context, the motivations of the appellant would not influence the actual, lived experience of future residents.
25. Consequently, the proposed development would fail to create adequate living conditions for future residents. It would conflict with the residential amenity aims of Policies ENV11, ENV12 and ENV16 of the Local Plan and the Framework.

Other Matters

26. The site is within The Grove Conservation Area (the CA) and I am mindful that I must pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. However, the washhouses are practically screened from the public realm by Alma Terrace, and for this simple reason, the character and appearance of the CA would be preserved. Likewise, the absence of clear intervisibility ensures that the development would not harm the settings of the other nearby listed buildings.

Planning Balance

27. The proposal would conflict with the development plan when read as a whole. The other considerations before me, including the constraints of the site and the public benefits of the scheme, do not indicate that I should make a decision other than in accordance with the development plan.

Conclusion

28. For the reasons outlined above, and taking all other matters raised into account, I therefore conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR