



Appeal Decision

Site visit made on 19 September 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 November 2025

Appeal Ref: APP/X2220/Y/25/3360519

Goodwin Cottage, 11 Griffin Street, Deal, Kent CT14 6LQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mr Paul McMullan against Dover District Council.
- The application reference is DOV/24/00534.
- The works are described as 'remove existing 70's/80's plasterboard studwork partitions & timber door from ground floor - already removed. Make good existing floor & walls with lime plaster. Strengthen / treat existing rotten floor joists, roof rafters & structural timbers generally. Repair all rotten sash windows. Lay new timber boarded ground floor. Re-paint all existing white rendered walls with a white Heritage masonry paint to match existing. Renovate existing steel beams, remove / treat surface rust. Protect existing steel with new Gyproc fireline board & skim. Replace existing boiler - already removed. Re-use existing balanced flue through rear wall, renew pipework to Kitchen avoiding beams, make good existing wall as necessary. Remove existing Kitchen units - already removed. Remove existing ground floor Bathroom sanitaryware & plasterboard / tiling - already removed. Make good existing floor & wall / ceiling with moisture resistant plasterboard. Install new bath & basin. Install new sanitaryware to first floor Bathroom. Make good existing floor, walls & ceiling where necessary. Renew existing profiled steel roof finish, to incorporate new large powder-coated aluminium patent glazed rooflight, with new lead flashings dressed over roof finish. Renew lead flashings to existing parapet wall & junction with existing house external walls. Make good existing floor, walls & ceiling where necessary. Provide new 229x152mm school board pattern J & JW Longbottom Ltd. ref: 974 cast-iron air bricks to Kitchen & Bathrooms, painted white to match rendered wall.'

Decision

1. The appeal is dismissed and listed building consent is refused for 'remove existing 70's/80's plasterboard studwork partitions & timber door from ground floor - already removed. Make good existing floor & walls with lime plaster. Strengthen / treat existing rotten floor joists, roof rafters & structural timbers generally. Repair all rotten sash windows. Lay new timber boarded ground floor. Re-paint all existing white rendered walls with a white Heritage masonry paint to match existing. Renovate existing steel beams, remove / treat surface rust. Protect existing steel with new Gyproc fireline board & skim. Replace existing boiler - already removed. Re-use existing balanced flue through rear wall, renew pipework to Kitchen avoiding beams, make good existing wall as necessary. Remove existing Kitchen units - already removed. Remove existing ground floor Bathroom sanitaryware & plasterboard / tiling - already removed. Make good existing floor & wall / ceiling with moisture resistant plasterboard. Install new bath & basin. Install new sanitaryware to first floor Bathroom. Make good existing floor, walls & ceiling where necessary. Renew existing profiled steel roof finish, to incorporate new large powder-coated aluminium patent glazed rooflight, with new lead flashings dressed over roof finish. Renew lead flashings to existing parapet wall & junction with existing house

external walls. Make good existing floor, walls & ceiling where necessary. Provide new 229x152mm school board pattern J & JW Longbottom Ltd. ref: 974 cast-iron air bricks to Kitchen & Bathrooms, painted white to match rendered wall.'

Preliminary Matters

2. The Council failed to determine this listed building consent application within the prescribed period. The works have been carried out in part. I have considered this appeal based on the works specified on the application form and the plans before me.
3. The Council granted planning permission for 'replacement roof with rooflight to rear single storey, rooflight to rear first floor, insertion of iron airbricks/flue, glazing in the spandrels of the side of front dormer window (part retrospective)' in March 2025 (Ref: 24/00533). Based on the evidence before me and my site visit, I find no reason to reach a contrary view to the Council on these works and consider that they would preserve the special interest of the listed building.

Main Issue

4. The main issue is whether the works would preserve a Grade II listed building, known as 'Crusader House' (Ref: 1261459) and any of the features of special architectural or historic interest that it possesses.

Reasons

5. 'Crusader House' is a two storey dwelling, with attic, which dates back to the 18th century. It originally formed part of the adjacent property at No. 12 Griffin Street. Crusader House was refaced in the mid-19th century. It has a white rendered front elevation and a Kent peg tile roof. According to the listing description, the front doorcase dates back to the 18th century and features pilasters, a flat hood, panelled reveals and a six fielded panelled door. The building was remodelled in the 19th century, with a side extension to accommodate the stairs. The property also has a single storey rear projection, which has a shallow mono-pitched roof, which is clad in corrugated steel.
6. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to this appeal is derived from its historic and architectural interest, as an illustration of domestic architecture from the 18th century. The building's surviving historic fabric, use of traditional materials and its historic plan form, with rooms of modest proportions, make important contributions in this regard.
7. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in considering whether to grant listed building consent for any works, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
8. The appeal property is a Grade II listed building and is therefore a designated heritage asset for the purposes of the National Planning Policy Framework (the Framework). Paragraph 202 of the Framework states that heritage assets are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for existing and future generations.'

9. Paragraph 207 of the Framework requires applicants to describe the significance of any heritage assets that may be affected by a proposal. It goes on to advise that this should be proportionate to the asset's importance and sufficient to understand the potential impact of a proposal on its significance when assessed using appropriate expertise.
10. The appellant has removed some walls and doors from the ground floor of the property, which has created a more open plan arrangement. The previous hallway has been removed and one now enters straight into the living room. The appellant argues that the internal layout was altered in the 19th century to accommodate the later extensions and that the front door was likely to have been relocated at this time. However, this contradicts the listing description which describes the doorcase as dating back to the 18th century. The appellant also argues that it was quite common for houses of this period to open directly from the street into the front reception room. However, there is no compelling evidence before me that the door was repositioned in the 19th century.
11. In addition, the sales particulars for the building show the floor plan prior to the removal of some of the walls and doors by the appellant. In this floor plan, the fireplace in the living room was positioned centrally along the rear wall of this room. The removal of the walls, in particular the section of wall adjacent to the fireplace has eroded the sense of symmetry previously exhibited within the living room. Based on the evidence before me and the fact that the fireplace is historic, it is likely that the historic proportions of the living room were similar to those prior to the appellant undertaking works. Consequently, I find that the creation of a more open plan living arrangement has in all probability harmfully eroded the historic plan form and legibility of the listed building.
12. The appellant indicates that some of the walls that have been removed were modern partitions that dated from the 70s/80s. However, given the limited evidence before me and the fact that this fabric has been removed and could not be inspected means that I am not fully convinced that all the fabric that has been lost was modern. Based on a photograph submitted with the appellant's Statement of Case showing the historic fireplace, the section of wall adjacent to the fireplace (which has now been removed), appears to contain brickwork that matches that surrounding the historic fireplace. Accordingly, it is likely that the scheme has resulted in the harmful loss of historic fabric.
13. The appeal scheme has resulted in the loss of timber panelling, cornicing and alcove cupboards, which the Council advises date back to the late 18th century or early 19th century. Even if this fabric was not original, it appears from the sales particulars that it was of some date and contributed to the historic evolution of the building. I appreciate that the removal of the panelling has enabled the appellant to fully inspect the fabric behind, reveal the historic fireplace and identify structural defects and areas in need of repair. I also appreciate that both fireplaces had relatively modern brickwork within them and reinforced concrete support beams, which indicates that works were carried out in this area during the 20th century. Nevertheless, there is insufficient information before me in respect to the historic significance of the panelling. Cornice detailing has also been lost. Consequently, it is likely that these works have resulted in the loss of historic fabric.
14. The description, as set out on the application form, includes works to strengthen/treat floor joists, rafters and structural timbers. However, the proposed

cross-section refers to the replacement of an existing timber beam with a new steel beam, which is not included in the description of the works. This highlights the discrepancies and deficits in the information before me. The appellant advises that such works are required in order to improve the structural integrity of the building and were recommended by the appellant's structural engineer. However, the appeal scheme seeks to replace historic fabric with an overtly modern intervention, with minimal justification. While this approach may have been used previously in other parts of the building, there is no substantive evidence before me that the previous works benefited from listed building consent.

15. While there is evidence of decay to some of the timbers, including the sash windows, there is no condition survey, detailed structural survey or repair schedule before me to ascertain the extent and nature of any works required. In the absence of such information, I cannot be satisfied that the works are fully justified and result in the minimum intervention necessary in order to preserve the surviving historic fabric. There is also limited information before me on other elements of the scheme, including the proposed finishes for the floors, walls and ceilings and whether such finishes would be historically and technically appropriate for this historic building. It is imperative that proposals are accompanied by drawings and specifications of sufficient detail to illustrate and/or describe the works (undertaken or proposed). This is to avoid any uncertainty over what is proposed and to allow a robust assessment of any effects. Given that such information is fundamental to ascertain the effects of the proposal on the heritage asset, it is not appropriate to leave such details to a condition in this case.
16. The appeal scheme seeks to use Gyproc Fireline board, which is a modern material and would harm the authenticity of the listed building. There is no convincing justification before me for the use of this material.
17. The appellant advises that the appeal scheme seeks to better reveal the historic fireplaces, by removing the modern fireplaces and other modern, unsympathetic materials. However, such works are not included in the description of the works on the application form, neither are details of the works included on the proposed plans. Accordingly, I am unable to fully consider the effect of such works on the special interest of the listed building.
18. The appeal scheme seeks to replace the corrugated steel roof, which is sited over the single storey rear projection and is in a poor condition and leaking. Such works would ensure that the building is watertight and prevent further deterioration of the historic fabric. This element of the works would preserve the special interest of the listed building. The appeal scheme also seeks to remove the felt roof from the existing dormer and replace it with Kent peg tiles, which would result in a small enhancement to the listed building. However, I do not find that this enhancement outweighs the harm that I have identified above.
19. The appellant advises that there was a modern ladder leading from the utility room to the roof void, which was beyond repair and has been removed. The appellant states that this would be replaced like for like. However, there is limited evidence before me on the historic significance of the ladder. The ladder does not form part of the description of the works and there are no drawings before me of its replacement. Accordingly, I am unable to ascertain whether the design and materiality of the replacement ladder would preserve the special interest of the listed building.

20. Overall, I find that the appeal scheme fails to preserve the special interest of the Grade II listed building. In finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the nature and extent of the development proposed, I find the harm to the significance of the listed building to be 'less than substantial' and at the mid-to-lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
21. The existing building is in a poor condition. While someone is residing in a room on the first floor, the building is largely uninhabitable. The appeal scheme seeks to ensure the structural stability of the building and bring it up to current day living standards. The appeal scheme would ensure that the building can be occupied in its optimal use as a dwelling in perpetuity and prevent further deterioration or in the worst case scenario, collapse. However, there is no compelling evidence before me why such benefits cannot be achieved by an alternative scheme, which seeks to retain the historic plan form and results in less harm to the historic fabric. As a result, I give this argument limited weight in my decision as a public benefit. There would be a small economic benefit from the appeal scheme during the construction of the works, which I give limited weight as an economic benefit.
22. The appellant seeks to better reveal the historic fireplaces and remove modern, unsympathetic materials. However, given the limited information before me in this regard, I give this element of the works limited weight in my decision. Replacement of the corrugated steel roof would ensure the building is watertight and prevent further deterioration of the historic fabric, which is a public benefit that I give moderate weight in my decision. The provision of Kent peg tiles to the existing dormer would be a more traditional and authentic material and I give these works moderate weight as a public benefit. Overall, I give the public benefits moderate weight in my decision. Consequently, in attributing considerable importance and weight to the harm that would be caused to the significance of the designated heritage asset, I find that there would be insufficient public benefits arising from the appeal scheme to outweigh this harm.
23. For the reasons given above, I conclude that the appeal scheme fails to preserve the special interest of the Grade II listed building. The appeal scheme fails to accord with the requirements of the Act and the historic environment policies of the Framework. The appeal scheme conflicts with Policies HE1 of the Dover District Local Plan to 2040, adopted October 2024. This policy among other things requires that proposals conserve or enhance the heritage assets of the District, sustaining and enhancing their significance.

Other Matters

24. The appeal site lies within the Middle Street Deal Conservation Area (CA). The CA encompasses part of the seafront and town centre and includes a regular grid pattern of streets, with buildings typically sited at the back edge of the pavement. The significance of the CA insofar as is relevant to this appeal is derived from the concentration of high quality historic buildings, which depicts the town's maritime heritage and evolution as a historic seaside resort.

25. The Council has granted planning permission for the external works and is satisfied that they would preserve the character and appearance of the CA. In accordance with the statutory duty imposed by Section 72(1) of the Act, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA in my decision. Based on the evidence before me and my site visit, I find no reason to reach a contrary view to the Council in this regard and find that the appeal scheme would not be detrimental to the character or appearance of the CA, as a whole.
26. While the appellant has suggested that the new roof for the dormer would enhance the CA, given the limited nature of the works and limited visibility of the dormer from the public realm, I find that this element of the works would preserve the character and appearance of the CA, when considered as a whole.
27. The appellant has drawn my attention to other properties within the CA that have open plan living accommodation and where wooden partitions have been removed and historic fireplaces revealed. However, full details of the circumstances of the other schemes are not before me and I therefore give them limited weight in my decision.
28. While I appreciate that the Town Council has not objected to the works, this does not alter my findings set out above.

Conclusion

29. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

A James

INSPECTOR