
Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 19/09/17

**gan Clive Sproule BSc MSc MSc
MRTPI MIEnvSci CEnv**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15.11.2017

Appeal Decision

Site visit made on 19/09/17

**by Clive Sproule BSc MSc MSc
MRTPI MIEnvSci CEnv**

an Inspector appointed by the Welsh Ministers

Date: 15.11.2017

Appeal A Ref: APP/T6850/A/17/3180520

Site address: Dolbedwyn, C1332 from farm entrance at Dolbedwyn to crossroads with B4594 east of Dol-y-cannau, Newchurch, Kington HR5 3QQ

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- 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 & Mrs Daniel Price against the decision of Powys County Council.
 - The application Ref P/2017/0250, dated 03/03/17, was refused by notice dated 29/06/17.
 - The development proposed is the erection of new kitchen/dining area to the south-east of the main house, this linked by a glazed passage, together with removal of modern internal partitioning to reveal original features.
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Appeal B Ref: APP/T6850/E/17/3180519

Site address: Dolbedwyn, C1332 from farm entrance at Dolbedwyn to crossroads with B4594 east of Dol-y-cannau, Newchurch, Kington HR5 3QQ

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Daniel Price against the decision of Powys County Council.
 - The application Ref P/2017/0251, dated 03/03/17, was refused by notice dated 29/06/17.
 - The works proposed are erection of new kitchen/dining area to the south-east of the main house, this linked by a glazed passage, together with removal of modern internal partitioning to reveal original features.
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Decisions

Appeal A Ref: APP/T6850/A/17/3180520

1. The appeal is dismissed.

Appeal B Ref: APP/T6850/E/17/3180519

2. The appeal is dismissed.
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Procedural matter and main issue

3. The Council's appeals statement highlighted that its decision notices refer to Powys Unitary Development Plan 2001-2016 ('UDP') Policy GP6 – *Conversion of buildings in the countryside*, but these references should have been to UDP Policy GP1 – *Development control*. The appeals have been determined within the context of this correction.
4. Dolbedwyn is a Grade II* listed building. Therefore, the main issue for both appeals is considered to be whether the proposed works would preserve the building or its setting or any features of special architectural or historic interest which it possesses.

Reasons

5. The Cadw listing notes Dolbedwyn¹ to be a two storey 16th century former hall house with a 17th century dairy wing, and 19th century modifications that had been largely superseded by restoration work during the 1980s. Although the house has stone exterior walls of varying ages, the building was originally timber framed. Vehicular access to the site, and the entrance hall for the house, are on the north western side of the dwelling.
6. The elevation on the opposite, south eastern side of the building, has two large 'lateral' chimney stacks that project out from it. While there are a considerable number of listed buildings in the county, it is rare to find two lateral stacks on the same elevation.² The Dolbedwyn lateral chimneys are recorded on its listing description, along with a number of other external features that include the slate roof and the 'gables' that run from the roof ridge to the lateral stacks. By their size, scale, form and position the lateral chimneys are distinctive and significant features of the dwelling that, along with sections of the north eastern and south western gable ends, are noted to date from the late 16th/17th century.³
7. Internally, the listing description confirms Dolbedwyn to be Grade II* '*...for the remarkable range of well-preserved internal features from Elizabethan and later period...*'. These features are apparent within the appeals documentation and on entering the building.
8. On the south eastern side of Dolbedwyn is a large garden area that includes a number of small trees. The proposed single storey kitchen/dining extension and the glazed link to the existing house would be within the garden. The glazed link would occupy the space at ground floor between the two lateral chimneys, and in doing so, would create two new entrances into the existing building. These entrances would use the location of existing window openings to minimise works to the historic structural elements of the building.⁴
9. The existing south eastern elevation and the associated garden area can be seen in views from various points in the landscape around the appeals site, including from (field entrances on) the highway to the southwest. There are a number of other buildings and tourist related facilities in the vicinity of Dolbedwyn that are visible in many views, and would be more so in the absence of summer vegetation. However,

¹ Listed as 'Dolbedwin'

² Comments from the Council's Built Heritage Officer, dated 29/05/17

³ Figure 27 of CPAT Report No 1461

⁴ As shown on Figure 27 of CPAT Report No 1461

views of the south eastern elevation of the house confirm its historic architecture to be mainly seen within the context of the amenity spaces and landscape around it, and these comprise its principal setting.

10. The presence of other developments around Dolbedwyn does not disrupt this and they emphasise the lack of development to the southeast, which links to the wider rural landscape around these developments. Therefore, the early structures that include the lateral chimneys, set within their built and landscape context, are of particular importance in communicating both the special architectural and historic interest of the building. Also and in this regard, both the house and its garden contribute to the local landscape and are distinctive elements of it, which may well cause people to make a special effort to obtain views of Dolbedwyn, or stop temporarily to take them.
11. The proposal would be of a contemporary design with a shallow mono-pitch 'green' roof on the kitchen/dinner and associated boot room. In addition to the glazed link to the existing house, there would be significant levels of glazing on the southern elevations of the kitchen/dinner. These factors would help to reduce the perceived massing of the planning proposal and retain some views of south eastern elevation. However when seen within the context of the existing built form, the footprint of the proposal would result in the overall scale of the extension being very significant and this would be apparent in views of the listed building. The effect of screening and diluting the predominance of the historic architecture would be much greater than that from the presence of existing vegetation.
12. The use of contemporary architectural forms and materials would ensure that the extension is clearly defined, it would not seek to imitate the existing architecture and it could be easily removed. However, the planning permission sought would be a permanent one. The scale of the proposed forms and the resulting amount of the new materials within the immediate setting of Dolbedwyn would cause the extension to conspicuously compete with, rather than complement, the historic architecture of the listed building.
13. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'), requires the decision maker, in considering whether to grant listed building consent, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses. Section 66(1) of the Act requires a similar approach in considering whether to grant planning permission for development which affects a listed building or its setting.
14. Some of the proposed works are intended to reveal original features. However, any such benefits would be outweighed by the scale, form and position of the proposed extension, which would cause the strength of the contribution from the lateral chimneys to the special architectural and historic interest of Dolbedwyn to be significantly reduced.
15. If the works proposed for the listed building consent were to be carried out in the absence of the extension, they would disrupt the cohesive appearance of the south eastern elevation and would fail to preserve the special architectural or historic interest of the building. Together, the schemes would also appreciably diminish and fail to preserve the setting of the building in important views that reveal the significance of the heritage asset. Given the nature of the appeals schemes and the proposed location of the extension, it would not be possible to mitigate or notably reduce these effects.

16. For these reasons, the proposed extension would be unacceptably harmful to the character and appearance of Dolbedwyn and the locality. This conflicts with UDP Policies GP1 and HP16 which are permissive of development proposals for house extensions that are, amongst other things, of a design, layout, size, scale, mass and materials that complements and where possible enhances the character of the existing building and the surrounding area. It also conflicts with UDP Policy ENV 14, which is not permissive of development that would unacceptably adversely affect a listed building or its setting, and in this respect UDP Policy SP3, and the relevant parts of Planning Policy Wales – 9th edition ('PPW').
17. Technical Advice Note 24: *The Historic Environment* ('TAN 24') notes that many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. For the reasons above, the proposals would not be a well-designed intervention at Dolbedwyn and within its setting.

Other matters

18. I note the appellant's have sought to preserve Dolbedwyn and its historic interest, and the appeals proposal would provide occupiers of the house with significant areas of additional living space. I also note that the appellants engaged in pre-application discussions with the Council. However, the appeals fall to be considered on their own merits. In the absence of the appeals schemes, Dolbedwyn in its current form would continue to provide adequate family living accommodation, and its social, cultural, environmental and economic conditions would be retained.
19. Appeal documentation refers to an alternative location for a kitchen extension to the north east of the house and during the site visit an area was highlighted next to the north east gable of Dolbedwyn. A proposal in that location: would benefit from the presence of the existing doorway through the gable; it could continue development along the predominant long axis of Dolbedwyn; it would be away from the important features on the south eastern elevation; and, it would not be as apparent in many views of the building. However, any proposal for change in that location would be considered on its individual merits. My decisions for the current appeals only concern the works as described at the beginning of this letter.

Conclusion

20. All representations in these cases have been taken into account. The works for which listed building consent is sought are those associated with the proposed extension of Dolbedwyn. For the reasons above, the Appeal A and B schemes would fail to preserve both Dolbedwyn and its setting, and features of special architectural and historic interest that the listed building possesses.
21. The proposed extension conflicts with UDP Policies GP1, HP16, ENV 14, SP3, the relevant parts of PPW and no matters, including the scope of possible planning conditions, have been found to outweigh the identified failure, harm and policy conflict.
22. TAN 24 notes that changes in the historic environment are inevitable, but in these cases the changes would fail to preserve the building and its setting and features of special architectural and historic interest that it possesses. Accordingly, I conclude that both Appeal A and Appeal B should be dismissed.

23. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Clive Sproule

INSPECTOR