



Appeal Decision

Site visit made on 1 October 2014

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 October 2014

**Appeal Reference: APP/F1040/E/14/2219548
4 and 5 The Green, Ticknall, Derby DE73 7GY**

- 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 R J Fleetwood and Mr P Woods against the decision of South Derbyshire District Council.
 - The application (reference 9/2014/0111/L, dated 28 January 2014) was refused by notice dated 15 April 2014.
 - The works proposed are described in the application form as: *"to remove the concrete render from the front of the property; to expose the stone/brick façade; to sandblast, repair and make good and re-point using lime mortar"*.
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Decision

1. The appeal is allowed and listed building consent is granted for the following works: *"to remove the concrete render from the front of the property; to expose the stone/brick façade; to sandblast, repair and make good and re-point using lime mortar"*. The consent applies to both 4 and 5 The Green, Ticknall, Derby DE73 7GY, in accordance with the terms of the application (reference 9/2014/0111/L, dated 28 January 2014), subject to the conditions set out in the attached Schedule of Conditions.

Main issue

2. The main issue to be determined in this appeal is the effect of the proposed works on numbers 4 and 5 The Green and on the setting.

Reasons

3. Ticknall is an attractive village, extending southwards along the B5006, a relatively busy local road. It is characterised by houses in a variety of styles and materials, including both stone and brickwork elevations. There is a significant number of listed buildings in the village, as well as other buildings that make a positive contribution to the setting, due to their historic and architectural qualities. The Green is a small enclave on the west side of the main road. Much of the village lies within the Ticknall Conservation Area, including The Green and the appeal site.
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4. Numbers 4 and 5 The Green stand at the end of the close. The external walls are constructed of coursed rubble, brickwork and render, though the rendering has been removed from the front elevation of number 4 (initially as part of a repair project). The cottages were originally built as a house, subsequently converted to form a pair of cottages. They date from the seventeenth century but were substantially "improved" in the nineteenth century, as were others in the village. They are listed together (Grade II) as buildings of special architectural or historic interest.
5. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant listed building consent for works that would affect a listed building. In such cases, it is necessary to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses. Other provisions in the Act require decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
6. That statutory framework is reinforced by the 'National Planning Policy Framework', especially at Section 12, which emphasises the importance of conserving and enhancing the historic environment.
7. The policies in the Development Plan do not have the same weight in respect of applications for listed building consent as would be the case in respect of an application for planning permission. The Policies are material considerations, nevertheless, and the Development Plan also includes specific Policies aimed at protecting the historic environment.
8. The appeal proposals would involve the removal of the rendered finish to number 5 The Green and further works to repair and make good the newly exposed elevations of both numbers 4 and 5.
9. The removal of the rendered finish at number 4 The Green has exposed the underlying brickwork and stonework, which is sound and of a reasonable quality. The work is incomplete, however, since the brickwork and stonework would require careful cleaning and repointing, as well as some making good. Subject to those works being carefully carried out, the finished building would be sound and architecturally appropriate. The same considerations apply to both number 4 and number 5 The Green, though it would not be an imperative for the works to the two properties to be carried out simultaneously.
10. The cottages would evidently be changed by the removal of the nineteenth century rendered finish. There are various examples of this type of finish in the village but they do not appear to be based on a comprehensive architectural concept, rather than merely a practical response to the concerns of the time. Though the render forms part of the historic evolution of the building it is not otherwise of particular architectural value. Thus its removal would not be unacceptable in itself, provided that a good standard would be achieved for the finished buildings.
11. In short, I am satisfied that the proposals would enhance the listed building, and its setting in the Ticknall Conservation Area, and that they would accord with planning policies that are intended to protect the historic heritage. Hence, I am persuaded that the scheme before me can properly be permitted and,

although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision on the appeal.

12. I have, however, also considered the need for conditions and I have concluded that conditions are necessary, to define the planning permission and to ensure that quality is maintained. In particular, it is necessary for a condition to be imposed to control the detailed specification and construction of the works and to define the materials to be used, in due course, to ensure that the quality and integrity of the construction is maintained. It is, however, unnecessary for conditions to be imposed to define the proposed works in detail.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The works hereby permitted shall be carried out in accordance with the unnumbered site plan (identifying the buildings affected).
3. No further works shall be commenced until a detailed specification of the works hereby permitted and a method statement for carrying out those works (including details of the materials to be used) have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved specification and method statement, using the approved materials.

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