The Planning Inspectorate

Appeal Decision

Site visit made on 29 November 2016

by A Napier BA(Hons) MRTPI MIEMA CEnv

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

Decision date: 20 December 2016

Appeal Ref: APP/J3530/D/16/3160227
Downton Cottage, The Street, Easton IP13 0ED

- 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 L King against the decision of Suffolk Coastal District Council.
- The application Ref DC/16/2920/FUL, dated 13 July 2016, was refused by notice dated 24 August 2016.
- The development proposed is new cartlodge.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my visit, boundary fencing existed between Downton Cottage and the adjacent dwelling, Kings Lodge, and a gazebo type structure had been erected on the appeal site, which was being used to provide covered parking. There is nothing before me to indicate that these structures form part of the appeal proposal or were formally considered by the Council in its determination of the application. Whether or not they require permission is not a matter that is before me as part of this appeal, as other mechanisms exist to resolve such issues. Accordingly, to avoid potential prejudice to the interests of others, I intend to consider the appeal on the basis of the proposal as submitted.

Main Issue

3. The appeal site is located within the Easton Conservation Area and Downton Cottage is a grade II listed building. These are designated heritage assets and I am mindful of my statutory duties in these regards. The site is also within an area identified in the development plan as the Deben Valley Special Landscape Area.

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the area, with particular regard to whether or not the proposal would preserve the setting of the listed building, preserve or enhance the character or appearance of the Conservation Area, and its effect on the surrounding landscape.

Reasons

5. The appeal site is located to the south of the main road through the village, between the listed Downton Cottage and the recently constructed neighbouring dwelling, and forms part of a larger garden area serving the listed building.

The Conservation Area covers much of the historic core of the village, as well as land within the river valley to the south. The village is predominantly residential in character, although it also contains some facilities, such as a school and public house. From the details available to me, including the Council's *Easton Conservation Area Appraisal 2014*, I consider that the importance of the area is predominantly derived from the number, type and quality of older buildings within the village, the historic evolution and pattern of built development, including the spaces between and around buildings, the significant number of mature trees, the landscape setting and the local topography, which provides views across the largely undeveloped river valley that makes a particularly valuable contribution to the qualities of the area.

6. From the evidence provided, including the listed building description, I consider the significance of Downton Cottage is largely drawn from its residential use, historic age, form, fabric and particular architectural features. In addition, the details indicate that the building has evolved over time and its setting, including its relationship to the river valley and siting in relation to the street and other buildings nearby, is important to its significance. The submitted details indicate that the neighbouring building to the east of the site was relatively recently constructed, originally as an annexe to Downton Cottage, although I understand that it is now a separate dwelling. The access arrangements and boundary subdivision between the two sites reflect the current relationship between the two properties.

7. Downton Cottage is situated close to one boundary of the site and, notwithstanding the subdivision of the site and the garden room addition to the listed building, a significant area of largely undeveloped garden currently exists adjacent to the dwelling. This sizeable garden area extends to the river valley to the south, directly linking the dwelling to the valuable landscape setting of the village. As such, it forms a particularly important element within the setting of the listed building. In addition, clear public views of this land, its relationship to the appeal dwelling and its contribution to the landscape setting of the village are available from the main road, which increases its importance.

8. The design approach and details of the proposed building, including the use of external materials, would reflect the local environment and the proposal would be clearly subservient in scale and appearance to the main dwelling. However, although the scale of the proposal would be relatively modest, it would result in a marked increase in the extent of built development within this part of the Conservation Area. As such, the proposal would materially erode the current openness of this space and interrupt the views available of the river valley, which would adversely affect the important landscape setting of the village. For the reasons given, this would have a detrimental impact on the setting of the listed building and the character of the Conservation Area. As a result, I consider the proposal would harm the significance of these heritage assets.

9. Accordingly, I conclude that the proposal would have a detrimental effect on the character and appearance of the area. It would not preserve the setting of the listed building or the character and appearance of the Conservation Area and would be harmful to the landscape setting of the village. It would be contrary to the *Suffolk Coastal District Local Plan 2013* Policy SP15 and the *Suffolk Coastal Local Plan 1994 (incorporating first and second alterations 2001 and 2006)* Policies AP1 and AP13, where they seek to protect local character

and appearance, including in relation to landscape and the historic environment.

10. My attention has also been drawn to policies from the Council's *Site Allocations and Area Specific Policies Development Plan Document*. However, from the limited details provided, this is an emerging policy document and, as such, its policies may be subject to change, which considerably limits the weight that I give to them. Nonetheless, they do not lead me alter my conclusions above.

11. The proposal would cause harm to the significance of the heritage assets. However, it would not result in the loss of the listed building and would affect one site within a much larger Conservation Area. As such, I consider that the harm, whilst material, would be less than substantial. Paragraph 134 of the National Planning Policy Framework (the Framework) requires that, in the case of designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

12. The main public benefits resulting from the scheme would be the economic benefits arising from the construction of the proposal. In addition, in the provision of covered garage space, the proposal would potentially enhance the range of facilities associated with the main dwelling, so contributing to sustaining its continued residential use. However, given the scale of development proposed, I consider that the resulting economic benefits in this regard are likely to be very limited and, having regard to the apparent qualities of the existing accommodation and the location of the site, there is nothing before me to suggest that the long-term residential use of the dwelling would be at serious risk in the absence of the proposal. As such, I find the public benefits of the proposal would be modest and I give them limited weight.

13. Paragraph 132 of the Framework advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and, as heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. In addition, paragraph 131 of the Framework refers to the desirability of new development making a positive contribution to local character and distinctiveness. For the above reasons, I consider that the development would not make such a contribution and, as such, whilst the use of the site as proposed may be viable, it would not represent its optimum use.

14. For these reasons, I conclude that the benefits of the proposal would not be sufficient to outweigh the harm identified to the significance of the heritage assets and the proposal would not meet the aims of paragraph 17 of the Framework, to achieve high quality design, take account of the different roles and character of different areas and conserve heritage assets in a manner appropriate to their significance.

Other matters

15. It has not been suggested by the Council, nor do I consider from the evidence available to me, that the proposal would be harmful to the living conditions of neighbouring occupiers. Furthermore, I recognise that the proposal would be of personal benefit to the appellant, as it would be likely to enhance his living conditions. However, the three roles of sustainable development are mutually dependent.

16. Paragraphs 6-9 of the Framework indicate that 'sustainability' should not be interpreted narrowly. Elements of sustainable development cannot be undertaken in isolation but should be sought jointly and simultaneously. Sustainable development also includes 'seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life'. For the reasons given above, I find that the harm to the character and appearance of the area, including that to the heritage assets and landscape, would outweigh the overall benefits of the proposal.

Conclusion

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

A Napier

INSPECTOR