
Appeal Decisions

Site visit made on 17 January 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 9 February 2017

Appeal A: APP/J0540/D/16/3157505

14 Maxey Road, Helpston PE6 7DP

- 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 W Thompson against the decision of Peterborough City Council.
 - The application Ref: 16/00841/HHFUL, dated 24 April 2016, was refused by notice dated 20 June 2016.
 - The development proposed is described as alterations and extension to dwelling.
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Appeal B: APP/J0540/Y/16/3157503

14 Maxey Road, Helpston PE6 7DP

- 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 W Thompson against the decision of Peterborough City Council.
 - The application Ref: 16/00878/LBC, dated 24 April 2016, was refused by notice dated 20 June 2016.
 - The works proposed are described as alterations and extension to dwelling.
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Appeal C: APP/J0540/D/16/3157509

14 Maxey Road, Helpston PE6 7DP

- 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 W Thompson against the decision of Peterborough City Council.
 - The application Ref: 16/00717/HHFUL, dated 11 April 2016, was refused by notice dated 14 June 2016.
 - The development proposed is the formation of two rear-facing, thatched eyebrow windows.
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Appeal D: APP/J0540/Y/16/3157508

14 Maxey Road, Helpston PE6 7DP

- 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 W Thompson against the decision of Peterborough City Council.
 - The application Ref: 16/00718/LBC, dated 11 April 2016, was refused by notice dated 14 June 2016.
 - The works proposed is the formation of two rear-facing, thatched eyebrow windows.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed and listed building consent is refused for alterations and extension to dwelling.

Appeal C

3. The appeal is dismissed.

Appeal D

4. The appeal is dismissed and listed building consent is refused for the formation of two rear-facing, thatched eyebrow windows.

Preliminary Matters

5. As the proposal is in a Conservation Area and affects a Listed Building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. The proposal for the extension was amended to show a flat roof after the application was determined. However, the appeal process should not be used to evolve a scheme and it is important that the facts before me are essentially the ones considered by the Council and any other interested party. Since the changes were not immaterial, they should more appropriately be the subject of separate applications for planning permission and listed building consent. Consequently, this appeal will be determined in accordance with details submitted at the application stage.

Main Issues

7. The main issues are whether the proposal would preserve a Grade II listed building, 14 Maxey Road, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Helpston Conservation Area.

Reasons

8. The appeal property comprises a one and a half storey residential dwelling that occupies a prominent position on the northern approach to the village of Helpston. Its front elevation abuts a walkway on the eastern side of Maxey Road whilst its rear elevation is enclosed by the curtilages of the surrounding properties. I have two different proposals before me that I shall consider on their individual merits. The first comprises the modification and expansion of a single storey extension to the rear (the proposed extension). The second comprises the insertion of two, thatched eyebrow dormers in the rear roof slope of the original building (the proposed dormers).
9. The Helpston Conservation Area (CA) was designated in 1975 and covers a small area encompassing the historic core of the village that is centred on a church and the intersection of the main routes into the village. The buildings

have a variety of architectural forms with the majority of the historic buildings dating from the 18th and 19th centuries. Most of the substantial earlier buildings are constructed from local stone with Collyweston slate or thatch roofs whilst later buildings are constructed from brick with either pantile or Welsh slate roofs. Smaller vernacular cottages comprising one and a half storeys with longstraw thatch roofs and eyebrow dormers around 2 casement windows are a characteristic feature. Given the above, I find that the significance of the CA, insofar as it relates to these appeals, to be primarily related to the historic architectural features of its lower status, vernacular dwellings.

10. The appeal building was listed in 1979 and dates from the early 18th century with later additions. This comprises a main range constructed from whitewashed stone rubble surmounted by a longstraw, thatch roof with two eyebrow dormers on the front elevation. This elevation comprises two bays with a central doorway that has been converted to a window. A third bay has been created from the addition of a rendered, subservient extension with a Collyweston slate roof projecting from its northern gable end. A modern, flat roof extension projects from the rear elevation in an L-shaped arrangement with two adjoining, brick outbuildings. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily related to the thatch roof structure and the legibility of its original rectangular form.

The proposed extension

11. I observed from the site visit and my plans that the proposed extension would lead to the formation of a highly incongruent and disproportionate dual-pitched roof over the existing and proposed ground floor accommodation. Bearing in mind the small plot size and close proximity of No 20, the increased footprint would also lead to a cramped, overdevelopment of the site. The proposed alterations would lead to the creation of a highly distracting, poorly designed feature that would partially obscure the original roof slope thus further eroding the historical architectural features of the rear building elevation. Whilst the proposal would not be visible from the public domain and consequently not detrimental to the CA, listed buildings are nevertheless safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
12. Given the above, I find that whilst the proposed extension would preserve the significance of the CA it would nevertheless fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
13. Paragraph 132 of the National Planning Policy Framework 2012 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Bearing in mind that the proposed extension would directly affect a more recent part of the building, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

14. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of the optimal viable use of listed buildings. However, the continued viable use of the appeal property as a residential dwelling is not dependent on the extension as the building has an ongoing residential use that would not cease in its absence.
15. Given the above and in the absence of any defined public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building but that it would not harm the character or appearance of the Helpston Conservation Area. The harm to the listed building would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with policy CS17 of the Peterborough Core Strategy DPD and policy PP2 of the Peterborough Planning Policies DPD 2012. They seek, among other things, to ensure that listed buildings are protected and that development contributes positively to the built environment in terms of its scale and massing. As a result the proposed extension would not be in accordance with the development plan.

The proposed dormers

16. I observed from the plans and my site visit that the proposed eyebrow dormers would be substantially larger and situated at a higher point on the roof pitch in comparison to the existing dormers on the front elevation. As such they would introduce a highly incongruent feature that would significantly disrupt the unencumbered sweep of the rear roof. The use of three casements instead of two would also introduce an architecturally inconsistent feature that would compromise the historic legibility of the building. As was the case for the proposed extension, I am satisfied that the dormers would not be visible from the public domain and would consequently not be detrimental to the CA but that they would nevertheless cause significant harm to the listed building.
17. I acknowledge that a partially implemented permission with an associated consent (Ref: 99/00851/FUL and 99/00849/LBC) already permits the formation of two eyebrow dormers on the rear roof slope. However, their design, vertical placement and size of opening would be more sympathetic and in keeping with the dormers on the front of the building. As such they would not cause significant harm to the special architectural interest of the building.
18. The appellant is of the opinion that the presence of similar, 3 section, thatched eyebrow windows can be found elsewhere in the village and has highlighted No 15 Woodgate. However, I do not have the full circumstances of this alteration before me, any indication of its lawfulness and note that it also predates current policy on the basis of the evidence submitted by the Council. In any event existing harm is not a valid justification for further harm. My own observations also suggest that the predominant form of the eyebrow dormers of the vernacular cottages of the CA is limited to small openings with two window sections, as is clearly apparent from the dormers of the neighbouring property.
19. Given the above, I find that whilst the proposed dormers would preserve the significance of the CA they would nevertheless fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.

20. Considering paragraph 132 of the Framework and bearing in mind the extent of the original building fabric that would be affected by the dormers, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. The appellant is of the opinion that the proposed dormers would be beneficial because they would improve the first floor accommodation. However, this is not a public benefit and the continued viable use of the appeal property as a residential dwelling is not dependent on the dormers as the building has an ongoing residential use that would not cease in their absence.
21. Given the above and in the absence of any defined public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building but that it would not harm the character or appearance of the Helpston Conservation Area. The harm to the listed building would fail to satisfy the requirements of the Act, paragraph 134 of the Framework and conflict with policy CS17 of the Peterborough Core Strategy DPD and policy PP2 of the Peterborough Planning Policies DPD 2012. They seek, among other things, to ensure that listed buildings are protected and that development contributes positively to the built environment in terms of its proportions and design features. As a result, the proposed dormers would not be in accordance with the development plan.

Conclusion

22. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

Roger Catchpole

INSPECTOR