
Appeal Decision

Site visit made on 1 March 2017

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

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

Decision date: 20th March 2017

Appeal Ref: APP/B1225/D/16/3165411
Glebe House, East Lulworth, BH20 5QQ

- 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 and Mrs Don and Jacquie Henshall against the decision of Purbeck District Council.
 - The application Ref 6/2016/0454, dated 22 July 2016, was refused by notice dated 22 September 2016.
 - The development proposed is ground floor rear extension and windows alterations.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. Glebe House is a detached two storey house set back from the road in a large plot and is located in the East Lulworth Conservation Area. The site has considerable planning history, including two appeals against the Council's refusal to grant permission for two storey extensions. Both appeals were dismissed and the second appeal (APP/B1225/D/16/3160471) was determined after this current appeal was submitted. The Inspector for the first appeal (APP/B1225/D/16/3141271) established the significance of the conservation area and the positive contribution that Glebe House makes to it. I concur with his assessment, as did the Inspector for the second appeal, and I consider that there is no need to reiterate his findings or re-state the historic evolution of the site.
4. A Certificate of Lawful Use or Development (Proposed) was granted for a 4m ground floor rear extension (without parapet) on 15 August 2016 (6/2016/0376). A Certificate of Lawful Use or Development (Proposed) was refused for a 4m ground floor rear extension (with parapet) on 15 August 2016 (6/2016/0377). A Certificate of Lawful Use or Development (Proposed) was granted for a 4m ground floor rear extension on 17 November 2016 (6/2016/0559).

5. The planning history of the site is a material consideration in this case, both in establishing the evolution and status of the building within the conservation area, and in terms of the form and scale of development which could be carried out in accordance with permitted development rights.
6. The location of the building in the conservation area means that statutory obligations apply. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty that special regard be had to the desirability of preserving or enhancing the character or appearance of a conservation area.
7. The National Planning Policy Framework (the Framework) requires proposals affecting heritage assets to be considered having regard to any harm caused to their significance. Where a proposal would lead to less than substantial harm to the asset, this harm should be weighed against the public benefits of it, including securing its optimum viable use. Where a proposal would affect a non-designated heritage asset a balanced judgement will be required having regard to the scale of any harm and the significance of the asset.
8. Planning policies relevant in this case include LHH, D and CO of the Purbeck Local Plan, adopted 2012 (the local plan), which relate, among other things to the conservation of heritage assets, general design criteria and development in the countryside.
9. The building is identified in the East Lulworth Conservation Area Appraisal as one which makes a positive contribution to the area and as such, should form a focus for conservation. It has individual merit because of its historical association as a former rectory and its architectural form, which although relatively simple, is of a grander style than the more vernacular estate cottages in the village.
10. It makes a valued contribution to the character and appearance of the conservation area as a whole and is considered by the Council to be a non-designated heritage asset. It is unclear to me from the information before me whether this designation has been adopted following any formal procedure. However, it is clear that the building is valued for its significance within the conservation area and therefore I consider that it should be protected from inappropriate development, as should any building or structure within the conservation area which is identified as making a positive contribution. Any effect on its significance must therefore be taken into account when assessing the scale of any harm arising from the proposal.
11. The proposed single storey extension would replace later ground floor elements which have been added to the original building. Some of these reflect the general character of the building in terms of white painted walls and pitched slate roofs, but generally the additions have very little merit. Consequently, the rear of the building has an informal appearance in contrast to the other, more regular and formal elevations.
12. The proposal would have a rectilinear form with a stepped rear elevation and a flat, grass covered roof and would be stepped in from the side elevations and at a lower level than the ground floor level in the main house. It would be constructed of painted render and extensive fixed and opening glazed panels.

13. The appellants state that the existing ground floor footprint is 195sqm and that there would be a net increase in the footprint of 36sqm. I consider that while this would be substantial, it would not in itself amount to a disproportionate addition to the building. However, although the extension may not be disproportionate purely in terms of its footprint or its volume, I consider that because of its boxy form and bulk it would appear out of scale and at odds with the proportions and overall form of the existing building.
14. In terms of its design details, I consider that the flat roof and its lack of reference to the main building, other than in the use of render, would result in a form of development which would not be well integrated with the existing building. The large areas of glazing in contrast to the main building in respect of the proportion of solid wall to void, would erode the balance between the walls and window openings of the property and would be out of proportion with the openings in the original building.
15. It would also be out of keeping with the paved courtyard, which although somewhat overgrown and neglected, has the appearance, with its low weathered brick walls, of a modest formal space on the private, southern side of the house, which might have been designed to complement a rural rectory and enhance its setting.
16. I accept that public views of the extension would be limited to relatively long distance oblique ones across the field from Main Street towards the east elevation. However, any impact on the character of any building arising from a development proposal, whether harmful or not, exists regardless of whether or not it is visible to public view. When the building in question is a non-designated heritage asset located in a designated heritage asset, in this case the conservation area, any harm must be weighed against the public benefits of the proposal.
17. The proposal would detract from the character and appearance of the building itself in terms of its status and architectural character as a former rectory within the village. It would not make a positive contribution to local character and distinctiveness and would harm the conservation area because of its adverse effect on a building identified as by the Council as a non-designated heritage asset.
18. The Framework advises that planning policies and decisions should not attempt to impose architectural styles and should not stifle innovation through unsubstantiated requirements to conform to certain development forms or styles, but that it is proper to seek to promote or reinforce local distinctiveness. It also states that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
19. I am not persuaded that the proposed design is outstanding. Simply designing an extension in a modern style, using modern energy efficient materials and attaching it to an existing locally distinctive former rectory does not make it outstanding when it makes few concessions to the style of the host building. Nor would it help to raise the standard of design generally in the area. It is possible to achieve a sustainable form of development using energy efficient materials and to avoid pastiche without using a modern architectural design

idiom such as this which demonstrates little regard for local character and distinctiveness.

20. The proposed extension would be unique insofar as there is no other like it in the village and it would be attached to a building which is unique in the context of the architectural style of buildings in the rest of the village. However, in my opinion, while the evolution of architectural style in a village can be satisfactorily expressed in a number of ways, it should not be at the expense of recognising and reflecting the historical and architectural identity of a building when proposing to extend it.
21. In this context, I have taken account of the planning permission granted for the replacement dwelling Wintersweet Cottage, at the southern end of the appellants' land. I note that the design is a contemporary one with some similarities to the proposed extension. However, that is a standalone new build to replace a small dwelling of no particular architectural or historic merit, which is identified in the conservation area appraisal as making a negative contribution to the conservation area, whereas the appeal proposal is an extension to an existing building which makes a positive contribution.
22. The Framework states that planning permission should not be refused for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape if those concerns have been mitigated by good design, unless the concern relates to a heritage asset and the harm to it would not be outweighed by the benefits.
23. I consider that the harm to the conservation area resulting from the proposed extension which would be out of keeping with the character of Glebe House would be less than substantial, partly because of the relative isolation of the building and because the extension would be to the rear. However, the Framework advises that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal.
24. I consider that the level of sustainability which would be achieved by the proposal would not necessarily be any greater than an alternative design. The viable use of the building is not at risk. At the time of my visit, the property was undergoing extensive renovation works. In terms of social benefit, the property is a substantial family house, with four existing and proposed bedrooms on the first floor and extensive living accommodation on the ground floor. Either of the permitted development schemes put forward would provide additional living accommodation appropriate to a family house, albeit with a smaller footprint, as could a scheme of a similar size to that proposed with a design more in keeping with the building.
25. The benefits to the local economy would also be similar in the above circumstances. Locally sourced modern energy efficient materials can equally well be applied to a different style of development, whereas specialist glazing of the type proposed is unlikely to be produced locally.
26. The detrimental effect of the proposal on the building and the conservation area would fail to satisfy the environmental dimension of sustainable development.

27. On balance, I find that, although there would be some private benefits to the appellants, there would be no public benefits of the proposal sufficient to outweigh the harm to the conservation area.
28. The appellants have drawn a number of other sites in the locality to my attention which they cite as precedents relevant to the proposal. They represent a variety of forms of development including alterations and extensions, changes of use and a replacement dwelling. Other than the descriptions of each development I have no detailed information as to how they compare with the proposal, the circumstances in which they were permitted, or in what way they set a precedent. During my visit to the site and the village I saw no evidence from public land of any development comparable with the proposal.
29. I have also taken account of the examples of other contemporary extensions put forward by the appellants. I have no information regarding the background to these developments and so am unable to make a proper comparison between them and the appeal proposal. In any case, I have considered the scheme on its own merits.
30. I conclude that the proposal would fail to preserve or enhance the character and appearance of the conservation area, contrary to local plan policy LHH which seeks to conserve the appearance, setting and character of heritage assets. It would also be contrary to local plan policies D and CO insofar as they expect development to integrate positively with its surroundings and not to have a significant adverse impact on the environment or detract from the character or setting of the original building. It would also be contrary to the Framework.
31. For the reasons given above, the appeal is dismissed.

PAG Metcalfe

INSPECTOR