
Appeal Decisions

Site visit made on 21 March 2017

by S J Papworth DipArch(Glos) RIBA

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

Decision date: 31 March 2017

Appeal A: APP/Y3615/W/16/3160748

Old Green Dene Cottage, Green Dene, East Horsley KT24 5TB

- 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 Cronin against the decision of Guildford Borough Council.
 - The application Ref 16/P/01473, dated 11 July 2016, was refused by the Council by notice dated 5 September 2016.
 - The development proposed is single storey rear extension with creation of new basement; demolition of existing pool structure and shed.
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Appeal B: APP/Y3615/Y/16/3160758

Old Green Dene Cottage, Green Dene, East Horsley KT24 5TB

- 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 Cronin against the decision of Guildford Borough Council.
 - The application Ref 16/P/01474, dated 11 July 2016, was refused by the Council by notice dated 5 September 2016.
 - The works proposed are single storey rear extension with creation of new basement; demolition of existing pool structure and shed.
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Decisions

1. I dismiss both appeals.

Main Issue

2. In both appeals this is the effect of the proposals on the historic and architectural significance of the listed building and its setting.

Reasons

Preliminary Findings and Policy

3. The site is within the Green Belt and the Council Officer's Report refers to saved Policy RE2 of the Local Plan which provides for the limited extension of dwellings in accordance with Policy H9. That policy lists criteria and adds that in the Green Belt there will be a presumption against extensions which result in disproportionate additions, taking into account the size of the original dwellings. This approach is in line with paragraph 89 of the National Planning Policy Framework. The Council has taken account of the intended demolition of an existing pool enclosure and shed in determining that the proposal accords with the Green Belt requirement of Policy H9 and hence that the proposal is not
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inappropriate development in the Green Belt. The Council do not allege harm to either the Area of Outstanding Natural Beauty or the Area of Great Landscape Value. Provided that the demolition can be assured by condition, those conclusions are concurred with, so that the issue at appeal is with regard to the listed building as set out above.

4. The appellants proposed a change to the scheme that was refused permission and consent by the Council in that a set of new external double doors would be changed to a single door and fixed side-light. As accepted by the Council, the change would be minor and not something that others would be likely to want to comment on. As a result, the change is accepted for consideration at appeal.
5. It appears from the reason for refusal in each case that the Council do not consider that the proposals accord with the requirement in Policy H9 to not have an unacceptable effect on the scale and character of the dwelling, and Policies G5 and HE1 which seek good design and the protection of listed buildings.
6. The Council has published Supplementary Planning Guidance '*Residential Extensions*' which contains at paragraph 2.2 general principles of design, whilst paragraph 1.11 makes clear that extensions to listed buildings require particular attention to detail.
7. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
8. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. The courts have determined that considerable importance and weight should be given to harm found to the significance of listed buildings. Paragraph 56 of the same document states that the Government attaches great importance to the design of the built environment; good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Listed Building

9. From what has been written on the history of the building, the original was a timber-framed medieval three-bay open hall house, and notwithstanding later additions, cladding and alterations, the basis of this form is still apparent. Later extensions to the rear and front pre-date the listing in 1985. Later still and after listing, there has been extension to the south-west corner to form a utility room and toilet (Ref; 97/P/01676 & 7) and a further extension onto that to form a bedroom and *en-suite* (Ref; 02/P/02440 & 4). The result is as shown on drawing OG/30B.
10. The building now in place has a sizeable rear projection being the sum of the above two planning permissions and listed building consents, stepping-out a little, away from the original house as the January 2003 approvals are wider to the east than the short section approved in January 1998. The west wall of

these two extensions follows the same plane and is set in only slightly from the original west end wall of the house and earlier front extension. The stepping-out to the east provides a subtle sense of enclosure to the courtyard of which the chimney stack is a prominent and historically significant feature, whilst lowering the eaves and reducing the bulk of the addition.

11. The proposal now is to take down the south and east walls of the 2003 addition, and remove the east-facing roof, rebuilding at a greater length and greater depth, with a re-arranged roofline so that the ridge over this part would be higher than that remaining over the 1998 utility area. The roof would terminate at an east-facing eaves level slightly lower than that at present while the west-facing eaves would be continuous with that already in place. A half-hip would be employed at the outer end of the new section of roof.
12. Whilst the southward extension would not in itself unduly affect the historic significance of the listed building and the appreciation of its architectural features, the increase in the amount of stepping-out and the consequent increase in the bulk and height of the roof, together with the introduction of the prominent projecting porch roof would turn what is presently a subservient low range into a dominant feature of its own, vying with the main house for attention and unbalancing the composition. The chimney stack which is such a feature of the courtyard would become visually hemmed in by the closer association of the proposed extension and the previous 'cat-slide' addition to the south-east.
13. Whilst in Green Belt terms the addition is not considered to be disproportionate, when measured against the proposed removals elsewhere on the site, considerations over the effect on the significance of the listed building and its setting concern a more immediate balance between the historic parts and the proposed additions. In this case the proposed addition would cause harm to the composition of the listed building and would appear intrusive and overbearing in views to the rear and side.
14. Turning to the proposed basement, there remain un-answered questions, but the fact is that the basement would be to the modern part, dating at most to 1998, partly to the later 2003 work and would be largely incorporated into the below-ground work needed to build the proposed single-storey addition. Whilst all is considered to be listed, the significance and vulnerability of the structure chosen to be dug-under is substantially less than it would be if the main house was to be the subject of the basement. In the circumstances, the interest of the listed building would not be jeopardised, if all else was acceptable, by seeking further structural drawings prior to commencement, a matter that the Building Regulation regime would require.
15. Nevertheless, harm would occur to the listed building through the development of the proposed extension, although the level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
16. The use of the building is as a dwelling, a use for which it was originally built and for which it appears still well suited. There appears no risk of the building falling into dis-use or disrepair for the want of the additional accommodation. The accommodation is clearly a wish of the present owners, but in the history

of a listed building, limited weight can be attached to this as a public benefit. There are benefits in the removal of the pool enclosure and the shed, as stated, with regard to the openness of the Green Belt and the character and appearance of the site, but the distance between these features and the source of the harm is too great to allow their removal to weigh heavily in the listed building balance.

17. In the balance, the harm caused is too great to be outweighed by the limited public benefits, and the proposal fails to accord with the stated sections in the 1990 Act, with regard to the listed building and its setting. The provisions of the Development Plan referred to are not met, and the proposal does not meet the standard of design sought in local and national policy and guidance. For the reasons given above it is concluded that both appeals should be dismissed.

S J Papworth

INSPECTOR