

Appeal Decisions

Site visit made on 30 May 2017

by Kenneth Stone BSc Hons DipTP MRTPI

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

Decision date: 22nd June 2017

Appeal A: APP/T3535/W/16/3165419 5 Mill Lane, Southwold IP18 6HW

- 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 Robert Taylor against the decision of Waveney District Council.
 - The application Ref DC/16/3272/FUL, dated 3 August 2016, was refused by notice dated 2 December 2016.
 - The development proposed is the construction of a single and two storey side addition replacing existing side addition and internal alterations.
-

Appeal B: APP/T3535/Y/16/3165423 5 Mill Lane, Southwold IP18 6HW

- 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 Robert Taylor against the decision of Waveney District Council.
 - The application Ref DC/16/3272/LBC, dated 3 August 2016, was refused by notice dated 2 December 2016.
 - The works proposed are the construction of a single and two storey side addition replacing existing side addition and internal alterations.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matter

3. The appellant refers to various submission plans provided to the Council and suggests that the appellant would have a preference for the plan originally submitted to the Council but which was subsequently amended prior to the determination of the application. The Council considered the proposals on the basis of 140908A - proposed plan and 140909 - window joinery details; and determined the proposals on this basis. I have determined these appeals on the basis of these plans.
-

Main Issues

4. The main issues are

- in relation both appeals, A and B, whether the proposals would preserve the Grade II listed building known as 5 Mill Lane, or any features of special architectural interest that it possesses or its setting; and
- in relation to appeal A only, whether the proposed development would preserve the character and appearance of the Southwold Conservation Area.

Reasons

Listed Building

5. 5 Mill Lane was constructed as a Methodist chapel, around 1799; it was subsequently converted into a house in the mid-19th century and has been significantly extended and altered, most notably with a large side extension in the 1980's.
6. The list description describes the building as a two storey property of red brick and pantile hipped roof. Its front and rear elevations retain much of the original design with double leaf doors flanked by casement windows on each side with keyed semi-circular arched heads at the front. The rear elevation accommodating two elongated long windows with semi-circular heads with the cill set above an implied plinth of brickwork laid in English bond. Little remains of the original internal finishes of fixtures although the gallery level is retained as an important feature, albeit with enclosed rooms.
7. The significance of the building derives from its historical record of the evolution of religious progression and the non-conformist traditions. Its simple elevations with symmetrical detailing and fenestration arranged to reflect the internal use of spaces. The existing alterations and extensions harm the original form and shape of the building and its original setting. Whilst constructed attached to the adjoining cottages, there was space around the building to the side and rear, along with some surrounding buildings, albeit unattached.
8. These factors all contribute to the significance of the listed building.
9. The proposals would remove the existing harmful extension which would be beneficial. The proposed replacement extension would provide a large single storey wing the depth of the plot and providing an open fronted car port to the street. A first floor would be provided that would be within the depth of the existing building but designed with a 'gasket' section to separate it from the original building. The first floor extension would be provided with a gable ended roof with the ridge running away from the road and gables fronting the road and rear.
10. The extension would add significant additional foot print and bulk and mass to the built form on the site. The first floor element with the 'gasket' and gable ends would appear as an isolated element and the 'gasket' itself, with the pyramidal roof light would add a further complicating element to the overall composition. The extension would appear excessively large for the host building and the combination of elements would add competition and confusion

to the simple form of the listed building. Rather than appear subservient it would compete and detract from it.

11. The open front car port is a particularly modern and unrepresentative feature. It would sit uncomfortably on the front elevation and expose views through expressing the remainder of the bulk and mass of the extension beyond.
12. For the reasons given above I conclude that the proposed extension would harm the Grade II listed building known as 5 Mill Lane, including the features of special architectural interest that it possesses and its setting. As such the proposal would conflict with Policy CS17 of the Core Strategy Development Plan Document, 2009 and Policy DM30 of the Development Management Policies, 2011, which seek to protect heritage assets.

Conservation Area

13. The appeal site is located within the Southwold Conservation Area which covers an extensive area across most of the town. It derives its significance from the towns seaside location and historical development from medieval times, it retains some of the original street patterns. There are significant and important Victorian and Edwardian buildings also adding to the later phases of its development. Mill Lane includes a number of listed buildings from the 18th and 19th century and a number of buildings of merit. It has a narrow and intimate feel that adds to the experience of the existing listed building.
14. I have concluded that the proposed extension would harm the listed building and in so doing this would harm the conservation area. In particular the uncomfortable nature of the first floor addition, the open carport front elevation and the many roof forms that add to give the extension an ill-conceived and jumbled appearance. This would be particularly visible and discordant when viewed against the restrained and symmetrical appearance of the listed building. This would harm the appearance of the street scene and thereby the conservation area.
15. For the reasons given above I conclude that the proposed development would result in material harm to the appearance of the Southwold Conservation area, which would therefore not be preserved. Consequently the proposal would conflict with policies CS02, and CS17 of the Core Strategy Development Plan Document, 2009 and Policies DM02 and DM30 of the Development Management Policies, 2011 which seek high quality development and seek to protect heritage assets.

Other matters

16. The listed building and the Conservation Area are in themselves separate designated heritage assets, both of which are harmed by the proposed development. However, in the context of the Framework I agree that this harm is less than substantial. That is not, as the appellant suggests, to say it is minimal, as any harm to a heritage asset is to be given great weight and importance.
17. The appellant has not directed me to any specific public benefits and the benefits that the appellant would derive from improved living conditions are not a public benefit. Also the removal of a harmful extension is not a benefit in this case as it is to be replaced by a proposal which in itself leads to harm, and which in my view would be greater than that existing.

Overall conclusions

18. Paragraph 134 of the Framework requires that I weigh the less than substantial harm I have identified against the public benefits of the proposal, including securing its optimum viable use. The property would remain as a dwelling and there is no suggestion it would not be viable to do so. There are no other public benefits and therefore these would not outweigh the less than substantial harm to the heritage assets, to which I have given great weight and importance.

19. For the reasons given above I conclude that both appeals should be dismissed.

Kenneth Stone

INSPECTOR