
Appeal Decisions

Site visit made on 20 June 2017

by Neil Pope BA (Hons) MRTPI

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

Decision date: 30 June 2017

Appeal Ref: APP/P1133/Y/17/3170635

1, Brook Cottages, Netherton, Newton Abbot, Devon, TQ12 4RW.

- 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 and Mrs O'Brien against the decision of Teignbridge District Council.
 - The application Ref.17/00091/LBC, dated 11 January 2017, was refused by notice dated 14 February 2017.
 - The works proposed are the addition of a conservation rooflight.
-

Appeal Ref: APP/P1133/W/17/3170637

1, Brook Cottages, Netherton, Newton Abbot, Devon, TQ12 4RW.

- 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 O'Brien against the decision of Teignbridge District Council.
 - The application Ref.17/00090/FUL, dated 11 January 2017, was refused by notice dated 14 February 2017.
 - The development proposed is the addition of a conservation rooflight.
-

Decisions

1. The appeals are dismissed.

Main Issue

2. The main issue is whether the proposal would preserve the grade II listed building at 1 and 2 Brook Cottages (listed as Brookside Cottages) or its setting or any features of special architectural or historic interest which it possesses.

Reasons

3. 1 and 2 Brook Cottages were formerly one house which is believed to date from the mid-17th century or earlier and includes later alterations and 20th century additions. Now two dwellings, the significance of this designated heritage asset is derived primarily from its architectural qualities (including its whitewashed plastered cob and stone walls, thatched roof, chimneys and single depth room plan) and historic interest (including the remaining original building fabric¹).
4. The proposed rooflight would measure 1.34m x 0.98m and would have two glazing bars with a lead apron below. It would be included within a new roof

¹ The property was damaged by a fire in 2016. Amongst other things, this largely destroyed its roof structure. Planning permission and listed building consent were subsequently granted to restore the property (refs. 16/02847/LBC and 17/00065/FUL). The approved works include the use of thatch over the roof of a modern rear extension in lieu of corrugated steel.

structure (finished in thatch) on what appears to be a 20th century addition at the rear of the appellants' cottage. The proposal would light a full-height space to one side of the kitchen without entailing the loss or disturbance of any important historic building fabric.

5. The proposed works would largely be hidden from view and would be on a new roof. However, when the roof is completed the rooflight and apron would interrupt the unbroken sweep of the roof slope and diminish an important characteristic of the restored building. It would detract from the pleasing natural appearance of the thatch and disrupt the harmonious relationship that would otherwise exist between the organic qualities of the roof and the lime rendered walls with timber framed windows. This overtly modern style of roof opening would contrast awkwardly with the vernacular traditions of this listed building and would erode its important distinctive architectural qualities.
6. In the context of the National Planning Policy Framework, the proposal would comprise less than substantial harm to the significance of this designated heritage asset. However, this does not equate to a less than substantial objection. This harm carries considerable weight in the overall balance.
7. My attention has been drawn to rooflights on some neighbouring buildings. It is unclear if any of these other buildings are listed. Moreover, whilst these existing rooflights are within the setting of 1 and 2 Brook Cottages they do not contribute to its significance or set a precedent that I must follow.
8. I also note the appellants' argument that the restoration of the appeal building, including the use of thatch in lieu of metal sheeting on this part of the roof, and the additional light and ventilation that would be derived from the proposal would be of public benefit. Whilst restoring this nationally important building in a sympathetic manner is clearly a public benefit this is something which the LPA no doubt took into account when it approved the scheme of restoration. The proposed rooflight would not provide any meaningful public benefit to weigh in the overall balance.
9. Given all of the above, I conclude that the proposed works would fail to preserve the grade II listed building at 1 and 2 Brook Cottages or its setting or its features of special architectural or historic interest. In so doing, the proposal would be at odds with policy EN5 of the adopted Teignbridge Local Plan 2013-2033 and the provisions of the National Planning Policy Framework. I therefore conclude that these appeals should not succeed.

Neil Pope

Inspector