



Appeal Decision

Site visit made on 21 January 2020

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2020

Ref: APP/X3540/Y/19/3238095

Pear Tree Farmhouse, Cratfield Road, Cookley, Suffolk, IP19 0LP

- 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 Rob Chase against the decision of East Suffolk Council.
 - The application Ref DC/19/2482/LBC, dated 18 June 2019, was refused by notice dated 14 August 2019.
 - The works proposed are a single storey garden room to the western gable end.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed works would preserve the Grade II listed building at Pear Tree Farmhouse or any features of special architectural or historic interest which it possesses.

Reasons

3. In considering proposals for planning permission, the statutory duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. Paragraph 194 goes on to say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 requires that where the harm is less than substantial, it should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
4. The development plan includes policy DM21 of the Suffolk Coastal District Local Plan Core Strategy and Development Management Policies Development Plan Document (2013) which seeks to protect existing site features of heritage value and reflects the statutory duty. The objectives of this policy accord broadly with the Framework although it fails to acknowledge the need to weigh any less than substantial harm against the public benefits of the proposal as sought in the Framework.

5. Pear Tree Farmhouse is a modestly sized, Grade II listed building dating from the early C17th. It is located in the small rural hamlet of Cookley, accessed from the lane by a long private track and is surrounded by farmland. A large timber outbuilding lies to the south east of the dwelling, separated by the front garden. The dwelling is of two storeys with a main pitched roof. It is likely to have had a tripartite plan form originally but has been extended in the past at its eastern end to form a dairy and subsequently with a number of single storey additions to the rear elevation to provide a conservatory and further ancillary space, most recently in 1997. These have resulted in shallow, single storey projections of brick with a catslide roof in clay pantiles along the rear elevation. The main part of the building is rendered with concrete roof tiles on the south elevation. External doors and windows are replacement casements. A fire caused major damage to the fabric and internally the primary chimney and timbers only survive. Its evidential significance lies in its considerable age. Its aesthetic value lies in its timber frame construction (albeit seen internally only) and in its modest, farmhouse character which, despite the many changes, remains in the traditional form, scale and appearance of its main, south facing front elevation.
6. In 2014 listed building consent was granted for a garden room in a similar contemporary style to this proposal, to be sited on the same side of the building but much further towards the rear. That scheme has not been built. In 2019 planning permission and listed building consent were refused for a vaulted garden room also on the same side. The refusal was made on the basis of a loss of historic fabric, poor quality design and an unsympathetic relationship with the existing building. That scheme differed from the current proposal in its design, its materials of brick and its siting which projected forward of both the front and rear wall of the dwelling.
7. The current scheme would be sited on the side, western gable end of the dwelling. It would be set back from both the front and rear walls. It would provide a garden room, accessed from a door in the side of the rear extension. It would have a broadly square plan form with a flat roof over the rear third and a shallow, single pitched roof over the remaining area which would oversail a timber decked platform to the front of the extension. The plans show that the platform would extend forward of the building line of the original dwelling by some 4.5m.
8. The scale of the current proposal, at some 5.4m in width, would exceed that of the extension on the eastern side of the property. Given its position close to the main front wall of the building and despite the set back, it would appear unduly disproportionate to the scale of the main south elevation of the original dwelling.
9. Both the oversailing roof projection and the position of the timber platform forward of the main part of the building (which differ from the previous consent) would further increase the dominance of the extension. Its bulk would also be increased by its greater overall height. The Council says that, although it had a larger footprint, the previous scheme was more lightweight, lower in height and in a more recessive position. This would have reduced its dominance significantly.
10. The distinctive form and contemporary style of this proposal would distinguish it from the original dwelling and does not involve the loss of historic fabric.

However, given its size and siting it would compete with and distract from the simpler form and character of the original building. Consequently it would be unduly dominant and would overwhelm the modest character of the south, front elevation. Although it would only be seen at some distance from the lane and would be partially screened by mature trees in summer, it would be clearly seen from within the appeal site. It would make it more difficult to understand the original form and scale of the dwelling's front elevation which contribute to its significance. Thus it would fail to preserve the special architectural and historic interest of the listed building, contrary to the clear expectations of the Act and the desirability of which the Courts have judged a matter of considerable importance and weight. It would also be contrary to paragraphs 193 and 194 of the Framework.

11. Whilst the harm would be less than substantial, it carries considerable weight. It should also be remembered that less than substantial harm does not equate to less than substantial planning objection, especially where the statutory and national policy tests have not been met. It is necessary to consider whether or not there are any public benefits that would outweigh the harm that would be caused as required in paragraph 196 of the Framework.
12. The appellants consider that the proposal would enable them to remain at the property well into the future. Whilst it would provide access to a private garden where the existing fenestration and south door (which is no longer used) do not and would provide additional sunlight, those improvements are not necessary for the continued viable use of the dwelling and would be private benefits.
13. I conclude then that the proposal would not result in public benefits sufficient to outweigh the harm that would be caused. The proposed works would fail to preserve the significance of this listed building, contrary to policy DM21 and to the Framework.

Conclusion

14. The proposal would fail to meet the statutory duty in regard to the listed building and would conflict with the development plan and the Framework as a whole. There are no other material considerations that warrant determining the appeal otherwise. The appeal should be dismissed.

Sarah Colebourne

Inspector