
Appeal Decisions

Site visit made on 16 June 2020

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th July 2020

Appeal A Ref: APP/W0530/D/19/3243135

13 High Street, Foxton CB22 6SP

- 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 Smith against the decision of South Cambridgeshire District Council.
 - The application Ref S/2466/19/FL, dated 15 July 2019, was refused by notice dated 11 October 2019.
 - The development proposed is demolition of existing 20th Century single-storey extensions and conservatory and replacement with single-single storey side extension.
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Appeal B Ref: APP/W0530/Y/19/3243136

13 High Street, Foxton CB22 6SP

- 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 Smith against the decision of South Cambridgeshire District Council.
 - The application Ref S/2467/19/LB, dated 15 July 2019, was refused by notice dated 11 October 2019.
 - The works proposed are demolition of existing 20th Century single-storey extensions and conservatory and replacement with single-single storey side extension. Alterations to existing kitchen to form utility room. Alterations to ground floor utility room to form shower room.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for demolition of existing 20th Century single-storey extensions and conservatory and replacement with single-single storey side extension at 13 High Street, Foxton CB22 6SP in accordance with the terms of the application, Ref S/2466/19/FL, dated 15 July 2019, subject to the attached schedule of conditions.

Appeal B

2. The appeal is allowed and listed building consent is granted for demolition of existing 20th Century single-storey extensions and conservatory and replacement with single-single storey side extension. Alterations to existing kitchen to form utility room. Alterations to ground floor utility room to form shower room at 13 High Street, Foxton CB22 6SP in accordance with the terms of the application Ref S/2467/19/LB, dated 15 July 2019 and the plans submitted with it subject to the attached schedule of conditions.

Procedural Matters

3. Despite the description of the development found on the Application Form, I have omitted references in the banner heading for Appeal A to those matters that do not require planning permission, to focus on the development involved.
4. The two appeals concern the same scheme under different, complementary legislation. I have therefore dealt with both appeals together in my reasoning.

Main Issue

5. The main issues are whether the proposal would preserve a Grade II listed building, No 13 (The Malt House) High Street, and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Foxton Conservation Area.

Reasons

6. The appeal property is a two-storey house with attic, arranged on a square plan, that dates from the early 18th Century and is Grade II listed. It was built by Thomas Wallis, a local maltster, as a small malting kiln, where germinating barley was dried.
7. The building was converted to a cottage in the mid-19th Century, serving as a lodge to Foxton House. The northeast flank wall was previously joined to other outbuildings associated with Foxton House, until being separated around the turn of the 20th Century. It is constructed mainly in red brick with a tall tiled conical roof, surmounted by a stack of grouped diagonal shafts on a square base. The northeast and southwest gables are plastered with black-painted exposed timber framing.
8. The listing of the building refers to the wall on east side being partly of clunch, but much repaired. However, this was replaced in the late 20th Century by a red brick wall with dentil coursing and a brick-on-edge capping. At the time a new brick wall was also erected on the northeast boundary to 15 High Street, which an existing extension abuts.
9. There are a number of interlinked modern single-storey extensions to the side and rear which incorporate sitting and dining rooms. The roof of the sitting room is flat and positioned below the first-floor side windows. The floorplan continues to the boundary wall to No 15, which incorporates a glazed lean-to roof. The dining room is situated within a conservatory, which is primarily glazed to its walls and dual pitched roof. While the existing extensions have used traditional materials, some of the design elements, including window treatments, do not reflect the historic character of the house. Moreover, the varied form, appearance and jointing between the extensions is unwieldy and visible in views from the High Street and above the front boundary wall from Caxton Lane.
10. Internally, at the time of my site visit, I observed that there were limited historic features on the ground floor. Although much of the historic floor plan form of the main part of the house appears to remain intact, a significant portion of the eastern flank wall of the house has been removed at ground floor to provide a larger open plan sitting room.

11. Although there have been a number of modern alterations to the property, based on the above, the significance of the listed building today is derived from its architectural and historic interest, as a converted malting kiln. I am also mindful of the definition of 'setting' contained in the National Planning Policy Framework (the Framework), as being the surroundings in which a heritage asset is experienced. In so far as is relevant to this appeal, the listed building is very prominent within its immediate surroundings, but also dominates its small rear garden. The prominent position of the listed building and its relationship with its garden therefore form an integral part of its historic setting, which contributes to the understanding and significance of the listed building.
12. The Foxton Conservation Area (CA) encompasses the appeal property and numerous other listed buildings in close proximity of the site. Its significance is derived from the character and appearance of the design and layout of the buildings situated therein, with numerous examples of agricultural buildings converted to residential use. Moreover, although there is some variety to the appearance of residential properties, there are also common characteristics to many of the buildings, as a significant proportion are of white-painted render and/or thatched roofs and situated within landscaped grounds. The majority of the other agricultural buildings that the appeal building was previously associated with have long since been demolished, so it survives as a strong reminder of the contribution made by agriculture to the historic development of Foxton, particularly within the CA. The distinctly contrasting materials of construction and the striking and tall conical roof of the appeal property, set amongst historic buildings of render and thatched roofs, also make a prominent contribution to the character and appearance of the CA.
13. Given the above, I find that the significance of the CA, insofar as it relates to these appeals, to be primarily associated with the contribution made by the prominence and unique form of the appeal building to the character and appearance of the CA, particularly in terms of its tall conical roof and contrasting materials, which is highly visibility in High Street and from Caxton Lane and The Green.
14. Consent is sought to demolish the side and rear extensions and replace these with one extension of brick and aluminium framed glazing, with a flat sedum green roof. The brick wall to the boundary with No 15 would be increased in height and length for the entirety of the proposed extension and a clerestorey window would be added to the south eastern corner. The northwest and southwest elevations would be primarily of glass, with bi-folding doors, and only a small portion of brickwork to the latter. The extension would be flush with the rear façade of the house but would incorporate a structural glazed link between the house and the rear projecting element of the extension. This part of the proposed extension would therefore be set away from the northeast corner of the house. The proposed sedum roof would be sat just above the glazing with a low profile but a roof light and the glazed top of the link would stand proud of the proposed sedum roof.
15. Internally the proposal would also include works to the kitchen to form a utility room and removal of cupboards in the existing utility to provide a shower room. The boiler would also be relocated to the new utility, which would make use of an existing chimney, and a new frame and door would be added between the hallway and new utility.

16. I acknowledge the content of the Council's SPD¹ in respect of contemporary extensions, including the use of flat roofs, but the proposal would represent a modest intervention to the listed building. Moreover, although the proposed extension would project out further and occupy a larger footprint than the existing extensions, it would have a lightweight appearance due to the large areas of glazing.
17. The modern, simple, yet contrasting form of the proposed extension would be clearly read as a contemporary and potentially largely reversible addition to the listed building, thus justifying the use of a minimal palette of non-traditional materials in this case. The rear projection of the extension would be set away from the northeast corner of the house, which would better reveal the significance of the building than the current conservatory arrangement. Similarly, the continuous flat roof would replace the awkward conglomeration of the roofs of the existing extensions, whilst maintaining visibility of the windows in the eastern side wall of the listed building. Moreover, although elements of the proposal would be visible above the front and side boundary walls, I consider that the works would represent a marked improvement to the jumbled appearance of the existing extensions.
18. The proposal would not therefore compete with or be a distraction from the listed building, which would continue to dominate the immediate setting of its small rear garden and surroundings within High Street and The Green, given the height and prominence of its conical roof.
19. Internally, the proposal would replace smaller compartmented extensions with an open plan arrangement but, crucially, there is already a similar arrangement with the existing sitting room. Furthermore, the room hierarchy within the remainder of the ground floor of the house would remain intact and would be reinforced by the reintroduction of a door between the hallway and new utility room. The other internal works would also be to alter mainly modern fabric and would be sympathetic to its current form and appearance.
20. Although the proposed extension would be visible from High Street, given its modest height and the similarities in its appearance to the existing extensions, it would not be prominent within the public domain and only have limited prominence from the private domain. Unlike listed buildings, the significance of a conservation area is more widely experienced. Under such circumstances, proposals must be judged according to their effect on a conservation area as a whole and must therefore have a moderate degree of prominence. Given the above, I find that the proposal would not be detrimental to the Foxton Conservation Area and thus preserve its significance. I note that the Council also raised no objection in this respect.
21. Given the above I conclude that, on balance, the proposal would preserve the special historic interest, including the setting, of the Grade II listed building and the character and appearance of the Foxton Conservation Area. This would satisfy the requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 192 and 193 of the Framework and would not conflict with Policies NH/14 and HQ/1 (part b) of the South Cambridgeshire Local Plan (Adopted September 2018). Together these policies suggest that proposals will be supported when they sustain and

¹ South Cambridgeshire District Council Listed Buildings Supplementary Planning Document (Adopted January 2009).

enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the National Planning Policy Framework, particularly listed buildings and conservation areas. As a result, the proposal would be in accordance with the development plan.

Other Matters

22. The appeal property is near to Foxton House, Nos 1, 2 and 4 The Green and a water-pump on The Green, all of which are designated as Grade II listed buildings. I have therefore had regard to the statutory duty referred to in the Act. However, given the proximity and physical relationship of the proposal with these designated assets, their settings will be preserved and the proposal will not detract from them.

Conditions

23. In addition to the standard time limits for both appeals, in the interests of clarity I have specified the approved plans in Appeal A. This is unnecessary in the listed building consent appeal, as the decision incorporates the plans. Furthermore, in the interests of preserving the special interest of the listed building, conditions for the specifications and samples of materials are necessary, including for the proposed fenestration.

Conclusion

24. For the reasons given above, I conclude that both of the appeals should be allowed.

Paul Thompson

INSPECTOR

Schedule of Conditions

Appeal A Ref: APP/W0530/D/19/3243135

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 17-1006 PL 001 and 17-1006 PL 200 Rev A.
- 3) Specifications and samples of the materials to be used in the construction of the external surfaces of the development hereby granted, including 1:20 scaled drawings of the fenestration, shall be submitted to and approved in writing by the local planning authority prior to their use on site. The development shall thereafter be carried out in accordance with the approved specifications/samples.

Appeal B Ref: APP/W0530/Y/19/3243136

- 1) The works authorised by this consent shall begin not later than three years from the date of this consent.
- 2) Specifications and samples of the materials to be used in the construction of the external surfaces of the works hereby granted, including 1:20

scaled drawings of the fenestration, shall be submitted to and approved in writing by the local planning authority prior to their use on site. The works shall thereafter be carried out in accordance with the approved specifications/samples.