



Appeal Decisions

Site Visit made on 25 May 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 June 2021

Appeal A Ref: APP/U1105/W/21/3269729

Ridge Cottage, Stockland, EX14 9EN

- 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 Timothy Phillips against the decision of East Devon District Council.
 - The application Ref 20/1406/FUL, dated 30 June 2020, was refused by notice dated 2 December 2020.
 - The development proposed is described as 'kitchen extension and various'.
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Appeal B Ref: APP/U1105/Y/21/3269767

Ridge Cottage, Stockland, EX14 9EN

- 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 Timothy Phillips against the decision of East Devon District Council.
 - The application Ref 20/1407/LBC, dated 30 June 2020, was refused by notice dated 2 December 2020.
 - The works proposed are described as 'kitchen extension and various'.
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Decision A

1. The appeal is dismissed.

Decision B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same proposal under different legislation. I have dealt with both appeals together in my reasoning.

Main Issue

4. The main issue for both appeals is the effect on the significance of the grade II listed building, known as Ridge Cottage.

Reasons

5. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
6. Ridge Cottage is a grade II listed building. The brief list description places it in the broad age range of the 17th or 18th centuries, and evidence suggests that it comprises two former cottages. The building has a simple linear form, with a broad principal elevation facing south over a large garden that slopes down towards a stream.

7. The building's walls are formed in uncoursed rubble stone with timber casement windows, set under a hipped thatched roof. It has a lean-to extension at its western end. The building retains a simple linear plan form, with interconnecting principal rooms to the ground floor and retained chimney breasts at either end, although the upper part of the west chimney has been lost. The simple vernacular appearance of the building and its surviving plan form and features are significant contributors to the special interest of the listed building.
8. Some of the masonry forming the south side of the existing Kitchen lean-to appears to be older than the rest and may well be the remnant of an older lean-to structure, that may have had a steeper roof. However, the current low-pitched slate roof, which the appellant advises does not perform well, and the utility addition both have limited historic significance.
9. A doorway would be inserted in place of an existing window, within the south elevation of the lean-to. I am satisfied that this would not be harmful owing to the clear evidence on site of a former doorway in this position. Although it would be on the building's principal elevation, it would read as a secondary door by virtue of its location within a secondary element of the building.
10. The proposal would see the lean-to roof replaced with a flat roof. The flat roof would appear particularly stark alongside the undulating form of the hipped thatched roof. It would also require the loss of areas of masonry that appear to be historic and could be the remnant of a more traditional lean-to that may have existed at this end of the cottage prior to the existing extension. Furthermore, a small lean-to extension is a common and traditional method of extending the ground floor of a building such as this. On this basis I can see no justification for not retaining a lean-to roof form in this area.
11. The flat roof would be used for the siting of a solar thermal panel, sat on a raised frame to achieve the necessary pitch. Raising the panel up on a frame would make it prominent to view from the garden area to the south, where it would have the appearance of a retro-fitted unit that would fail to integrate well with the form of the building. There is insufficient evidence before me to justify this location, considering the potential to position the unit elsewhere in the curtilage of the building where its visual impact would be less harmful.
12. Beyond this, the proposal would see a further extension erected, perpendicular to the existing building. Whilst I accept that turning the extension in the manner proposed so that it is clearly distinct from the existing building would serve to identify it as an extension, I am not satisfied that the design has been executed with sufficient care to ensure that it would be appropriately sensitive to the character and appearance of the host dwelling. The full height glazing, which would extend up to the verge of the roof within a gable that would step significantly forward from the building's principal elevation, would be overly assertive.
13. Its impact would be exacerbated by its high eaves level, which would align with the cill level of the existing first floor windows and thus serve to increase its scale. Its impact would be felt throughout most areas of the garden. Where visible from the lanes to the east and south the prominent gable form of the extension would draw the eye. This addition would be dominant and would detract from the simple and traditional appearance of the existing building, causing significant harm to the special interest of the building.

14. The insertion of a bathroom in place of bedroom 4 at the eastern end of the first floor would not necessarily be harmful, however the plans appear to show changes to the chimney breast between this room and the adjacent bedroom. There is nothing before me to justify interventions in this area, and alterations to primary historic fabric would be harmful.
15. New windows at the eastern end of the building would replace existing windows that are of no historic value, as would the replacement of a window on the rear elevation. At my visit I was unable to verify that the ground floor window was a former doorway as the appellant suggests, as this area was inaccessible from the outside, however if this is the case then these interventions would not be harmful.
16. Although I am satisfied that some elements of the proposal would not be harmful, I have found that the proposed alterations at the western end of the building would cause significant harm to the building, as would intervention into primary historic fabric to form the new bathroom.
17. In terms of the National Planning Policy Framework (the Framework) the harm would be less than substantial. Paragraph 196 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
18. The proposal would include the installation of photovoltaic and solar thermal panels. The use of renewable energy would reduce the carbon footprint of the building and would thus be a public benefit. However, I give this limited weight as I am not satisfied that the location of the solar thermal panels, which I have found to be harmful, have been properly justified.
19. The appellant suggests that local support for the proposal is testament to its public benefit. However, I find that other benefits arising from the scheme would only be personal to the occupants of the building.
20. The proposal would cause significant harm to the character and appearance of the listed building. Paragraph 193 of the Framework establishes that great weight should be given to the conservation of a heritage asset. In this context I find that the public benefits of the proposal carry limited weight and would be insufficient to outweigh the degree of harm identified.
21. In summary, I find that the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the special interest of the listed building. In reaching my decision I have also had regard to Policy EN9 of the East Devon Local Plan 2013-2031, which echoes the Framework by clarifying that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm will be weighed against the public benefits of the proposal.

Conclusion

22. For the reasons above, both of the appeals should be dismissed.

A Tucker

INSPECTOR