



Appeal Decisions

Site visit made on 17 December 2021

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2021

Appeal A Ref: APP/X3540/W/21/3275102

34 The Street, Brandeston, Suffolk, IP13 7AE

- 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 John Brodholt against the decision of East Suffolk Council.
 - The application Ref DC/21/0745/FUL, dated 15 February 2021, was refused by notice dated 26 March 2021.
 - The development proposed is a single storey rear extension following demolition of an existing extension.
-

Appeal B Ref: APP/X3540/Y/21/3275101

34 The Street, Brandeston, Suffolk, IP13 7AE

- 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 John Brodholt against the decision of East Suffolk Council.
 - The application Ref DC/21/0746/LBC, dated 15 February 2021, was refused by notice dated 26 March 2021.
 - The works proposed are a single storey rear extension following demolition of an existing extension.
-

Decisions

1. The appeals are dismissed.

Preliminary Matters

2. I have considered the two appeals concurrently, but on their own merits, because there are common matters between them.
3. The appellant has confirmed in his submissions that he is willing to retain the rear kitchen window and the two stripped pine doors because their loss has not been fully justified. Similarly, they have indicated that a green or lead roof would be acceptable. I have considered the proposal on this basis.

Main Issues

4. The main issue in both appeals is whether the proposal would preserve the Grade II listed building known as 34 The Street¹ (No 34) or any features of special architectural interest that it possesses.

Reasons

5. No 34 was listed in 1951 and is a mid-terrace cottage probably dating from the 17th Century. There are three cottages in the terrace and all are timber framed

¹ Listed as 33-35 The Street

with simple plastered elevations under a thatched roof. The simple pallet of external materials and unassuming fenestration afford the building a humble and characterful appearance. The presence of cottage gardens to the front adds to a very pleasant scene. The building tells us much about historic construction methods, lifestyles, and the building traditions of a bygone time.

6. Although modestly extended to the rear the diminutive size of No 34 is particularly important in illustrating its special interest as an example of a small vernacular cottage, which was probably originally intended to be occupied by an agricultural/rural labourer or such like. Accordingly, the significance of No 34, in so far as it relates to these appeals, is primarily its evidential and historic value as a small rural home. It also has a simple rural charm that fortuitously provides an aesthetic value. Accordingly, its significance goes beyond views of the front elevation from the road.
7. The proposal would involve a single storey extension to the rear. The footprint, depth and overall massing of the proposal would be comparatively and disproportionately large relative to No 34. As a result, the proposed rear extension would overpower the modest cottage and appear out of place. The discordant proportions would seriously harm the building's evidential, historic, and aesthetic value as a modest vernacular cottage.
8. The rear extension would be lower than the existing cottage and its width would only be slightly greater than the existing extension. Increasing the width in this way would not harm the ability to appreciate the original form of the listed building or result in the loss of any features of note.
9. However, the extension as proposed would not appear sufficiently subservient due to its depth, floor area and massing. The latter would be exacerbated by the bulky flat roofed form. The existing extension is flat roofed but modest in depth. By contrast the much deeper addition now proposed would be very jarring with the simple and traditional cottage proportions and form. Accordingly, the single storey scale of the proposal would not mitigate for the inherent limitation that the extension would simply be too big relative to the host cottage. A green or lead roof could soften the impact when viewed from the first floor but would not mitigate for the overall size of the extension. Moreover, the sunken section of the extension would be a fussy and contrived addition that would jar with the building's simple vernacular aesthetic.
10. The appellant has sought to justify the proposal with reference to an extension at 33 The Street (No 33). This extension is large and prominent with a complicated form, which is especially evident in the roof shape and link to the main house. Even if I shared the appellant's view, given with some considerable justification, that the extension has harmed the significance of the terrace, this would not justify further harm.
11. This is especially so because the submissions indicate No 34 is still a good example of a modest vernacular cottage. Moreover, the extension before me is not the same as that at No 33 because the latter is set slightly apart from, and to the side of, the historic part of the building. This breathing space provides some limited mitigation. The proposal on the other hand would be directly off the rear of the cottage.
12. The harm that would occur to the special interest of the listed building, whilst serious, would not be severe and therefore it would be 'less than substantial'

within the meaning of the National Planning Policy Framework (the 'Framework'). Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.

13. The extension would improve the amount and quality of the accommodation available at the appeal property and its energy efficiency. A poor-quality existing extension would also be removed. These are capable of being public benefits, especially as they would make living in the listed building more attractive, thereby better securing it for future generations.
14. However, the existing cottage appears to be similar in size to several historic properties nearby. There is nothing of substance before me to suggest the building falls below any recognised space standard. Even if it did, that would not be uncommon for a historic cottage. Nor has it been suggested that the energy efficiency of the existing extension could not be improved.
15. I observed that the existing cottage functions adequately as a dwelling with a pleasant flow and different internal spaces. It may not meet the needs of the appellant (or the previous owners), who are seeking a family sized home, but it has not been demonstrated that it has been consistently undesirable to others because of its size. For example, there is no evidence before me of long periods of vacancy or an inability to sell No 34 because of its proportions. The apparently fair condition of the structure is further testament to its ability to function as a home. The Heritage Impact Assessment speculates that the building may have been found unfit for human habitation in the past due to its size, but no substantive evidence supports this. And, in any event, the existing extension appears to have remedied the perceived defect.
16. As such, the proposal is unnecessary to secure the use of the building as a dwelling or to improve substandard accommodation. This suppresses the extent of the public benefits listed above. There would be some minor economic benefits from the construction of the extensions, but these would be short lived and modest in scale. Overall, the proposal would have limited public benefits.
17. Thus, when giving considerable importance and weight to the desirability of preserving² the listed building³, I find that the serious overall harm that would arise from the proposal would not be outweighed by its limited public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to a designated heritage asset would not have clear and convincing justification.
18. In conclusion, the proposal would harm the special interest and significance of the listed building. In so doing it would fail to preserve it, contrary to the expectations of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). It would similarly be at odds with the expectations of the Framework. The harmful impact on the listed building would also be contrary to Policies SCLP11.1⁴, SCLP11.3, SCLP11.4 and SCLP11.5, which collectively seek to conserve and enhance the historic environment.

² Preserving in this context means doing no harm

³ See Sections 16(2) and 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990

⁴ The Council also referred to Policy SCLP11.2 but its relevance is unclear

Other Matters

19. The appeals have failed on the main issue and therefore the proposal would have no impact on the character and appearance of Bradeston Conservation Area. The Parish Council and some neighbours supported the proposal and I have carefully considered the reason given for doing so. However, I have come to my own findings for the reasons given. It is to his credit that the appellant engaged in pre application discussions and proactively made amendments. However, the size of the extension as proposed would still be too large.

Conclusion

20. The proposal would fail to preserve the listed building. There are no other considerations or public benefits that would outweigh this harm. Thus, the proposal would fail to satisfy the requirements of the Act, the Framework and development plan policies insofar as relevant. Accordingly, for the reasons given, the appeals have been dismissed.

Graham Chamberlain
INSPECTOR