



Appeal Decisions

Site visit made on 22 March 2022

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2022

Appeal A Ref: APP/D3505/W/21/3283350

3 Lower Road, Glemsford, Sudbury CO10 7QU

- 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 Ms Louisa Andreas against the decision of Babergh District Council.
 - The application Ref DC/21/03175, dated 2 June 2021, was refused by notice dated 9 August 2021.
 - The development proposed is erection of single-storey extension (following demolition of existing extension).
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Appeal B Ref: APP/D3505/Y/21/3281326

3 Lower Road, Glemsford, Sudbury CO10 7QU

- 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 Ms Louisa Andreas against the decision of Babergh District Council.
 - The application Ref DC/21/03176, dated 2 June 2021, was refused by notice dated 9 August 2021.
 - The works proposed are erection of single-storey extension (following demolition of existing extension).
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Decision - Appeal A

1. The appeal is dismissed.

Decision - Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning.

Main Issue

4. The main issue in both appeals is whether the proposed development/works would preserve the grade II listed 1-3 Lower Road or its setting and any features of special architectural or historic interest that it possesses.

Reasons

5. The appeal property is an end terrace (No 3 Lower Road) which forms part of a grade II terrace of three cottages, which was originally a large house (Nos 1-3 Lower Road).
6. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. Furthermore, paragraph 199 of the National Planning Policy Framework (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 the asset's conservation.

Significance of Nos 1-3 Lower Road

7. Nos 1-3 Lower Road is C17-C18, timber-framed, with plastered walls and a thatch roof. It is single storey with attic rooms with three dormer windows and casement windows and is prominently positioned close to the road in relatively open countryside. It has been subject to a number of modern extensions. Insofar as is relevant to these appeals its significance derives from its evolution from one to three dwellings, its positioning in the rural landscape and its traditional architectural detailing.

Effects on Nos 1-3 Lower Road

8. A large part pitched and part hipped roof single storey side and rear extension would replace existing single storey extensions and structures at No 3 Lower Road.
9. I accept cars parked in front of the proposal would provide some screening of the proposed extension. I acknowledge the proposed sympathetic use of a box gutter tucked underneath the existing thatch. I note the attempt to keep the proposed roof line as low as possible. I also acknowledge traditional materials would be used in the construction and finish of the extension to match the appeal property. I have also considered the other modern extensions to the listed building at Nos 1 and 2 Lower Road and note the poor appearance of the existing extensions and structures which would be removed as a result of the proposals.
10. However, the proposal before me would substantially extend the appeal property through a ground floor extension which would wrap around the side and rear elevation of No 3 Lower Road.
11. That extension would have a varied roof form finished in clay tiles and would have prominent full height corner glazing. It would be larger than the extensions and structures to be removed and would be a dominant feature which would draw attention away from the modest traditional architectural detailing of the listed building. The proposed complicated expansive roof would jar with the traditional simple thatch roof and overall, through its scale, form and prominence the proposal would detract from the traditional architectural detailing and simple traditional form of the wider listed building.
12. In reaching these conclusions I have considered all additional details submitted with the appeal including the aerial picture, the perspective pictures and photomontages. I note the site boundary would be enhanced by hedging and

new sympathetic fencing would be installed. I also acknowledge the attempt to design the scheme in response to the reasons for refusal for a previous scheme at the appeal property.

13. However, through its scale, detailing and prominence the proposed extension would dominate the listed building particularly when approaching it from the west and would erode its traditional modest character, harm its significance and fail to preserve the designated heritage asset.
14. The harm I have identified to the significance of Nos 1-3 Lower Road would be less than substantial. In which case paragraph 202 of the Framework requires it to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use.
15. The proposals would improve the living conditions for the occupiers in terms of additional internal living space. I note that living space would be used to accommodate an elderly resident. However, the removal of the existing extensions and structures in place of the proposed extensions which I have also found harmful would not be a public benefit. Thus, even if I accept there would be benefits associated with the proposed internal works to the listed building, the combined benefits are modest and would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage asset.
16. Therefore, overall, I find the proposed development/works would fail to preserve the grade II listed Nos 1-3 Lower Road and its setting contrary to the respective sections of the Act and the Framework.
17. For the same reasons both appeal proposals would also conflict with the development plan, particularly saved Policies CN01, CN06 and HS33 of the Babergh Local Plan Alteration No.2 (2006) which taken together seek to ensure good design generally and that proposals involving extensions to listed buildings are in keeping with the scale and character of the listed building and preserve its special characteristics.

Conclusion

18. For the reasons given above and taking into account all other matters raised, I conclude that both appeals should be dismissed.

L Fleming

INSPECTOR