



Appeal Decisions

Site visit made on 15 March 2022

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2022

Appeal A Ref: APP/D3505/W/21/3269082

Charity Farmhouse, Wades Lane, Shotley IP9 1EN

- 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 Dr Nick Dansie against the decision of Babergh District Council.
 - The application Ref DC/20/04345, dated 2 October 2020, was refused by notice dated 25 November 2020.
 - The development proposed is Replacement link extension to living/kitchen space to create dining room. First floor rear extension to master bedroom.
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Appeal B Ref: APP/D3505/Y/21/3269080

Charity Farmhouse, Wades Lane, Shotley IP9 1EN

- 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 Dr Nick Dansie against the decision of Babergh District Council.
 - The application Ref DC/20/04346, dated 2 October 2020, was refused by notice dated 24 November 2020.
 - The works proposed are Replacement link extension to living/kitchen space to create dining room. First floor rear extension to master bedroom.
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Decision

1. Appeals A and B are dismissed.

Procedural Matters

2. Since the Council refused planning permission for the appeal scheme, it has confirmed that its Decision Notice mistakenly referred to the proposed first floor rear extension, to which it does not object. However, as part of my statutory duties set out in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have considered the entirety of the appeal proposal, as determined by the Council, afresh in light of the evidence before me. As the appellant has addressed this matter in his Statement of Case I have not communicated further on this aspect.
3. There are two appeals on this site, concerning identical schemes under different, complementary legislation. In order to avoid duplication, I have therefore dealt with the two schemes together in my Decision.
4. The appeal site is situated within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act 2000 (as amended) requires all relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of these areas when performing their functions. I have therefore had regard to this statutory duty in my consideration of the appeal scheme.

5. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). I have had regard to the Framework in my decision and I am satisfied that this has not prejudiced any party, particularly as the revisions do not alter the policies upon which these appeals turn.

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, Charity Farmhouse, and any features of special historic interest that it possesses.

Reasons

Significance

7. The appeal concerns a Grade II listed former farmhouse of timber frame construction. It is faced in red brick and plaster and its roof clad in red plain tiles. The list description suggests it is two separate cottages but it was relatively recently returned to a single dwelling, with the separate gabled porches and boarded doors remaining to its west façade. The description is unclear regarding the date of the building as it puts it somewhere between the 16th and 17th Centuries or earlier, whereas the appellant suggests it dates from the 16th Century. There is no evidence from the Council to dispute this point.
8. The farmhouse has been altered over time, but most significantly at its southern gable with a part two- and single-storey extension. The two-storey section incorporates a catslide roof and a gabled dormer above. Like the porches, they project beyond the west façade of the farmhouse. However, together with the facing materials below, the extension awkwardly distracts from the architectural rhythm and detailing found in the brickwork and fenestration of the west façade, including how this is appreciated within the garden of the farmhouse. The single-storey element further south, which incorporates a roof terrace, also projects beyond the west façade and its form is uncharacteristic and cumbersome. Both elements therefore contribute negatively to the appearance and, thereby the significance of the listed building.
9. The appellant also suggests the single-storey wash house range to the rear of the farmhouse dates from the 19th Century and adds to the understanding and significance of the listed building. The wash house was extended and connected to the farmhouse in 2004 with a single-storey link. This is a structure of simple form and appearance, clad in contrasting black stained weatherboarding and slate. Although it adds little to the significance of the listed building, it is unassuming and set back behind the gables of the farmhouse and wash house. It does not therefore harm their appearance or the understanding of their significance, particularly as the plan form ensures that the wash house building is the more prominent element and remains evident as a later addition to the house. Likewise, the addition of two detached garages in the 20th Century are sympathetically designed and positioned, so do not harm the setting of the listed building.
10. Despite some unsympathetic extensions to the listed building, in so far as it is relevant to the appeals before me, its significance still lies in its architectural and historic interest as a fine example of well detailed 16th Century farmhouse with later additions, including a separate former wash house, and is set within

a later group of agricultural buildings. In particular, the appellant suggests that its appearance is typical of the part of Suffolk within which it is situated.

The proposal

11. The proposal is for a predominantly gabled roofed link extension which would run parallel to the gables of the farmhouse and former wash house. It would be separated from both buildings by flat roof sections, which would preserve a staircase window in the farmhouse. The northern gable end would incorporate oak framed glazing and the southern gable would be glazed to its apex, above the existing retained southern wall. The new link would be on a larger footprint than the existing, as the gable would extend north as far as that of the former wash house. The roof pitch would match the other gables, but the ridge height would be higher than the former wash house and set below that of the farmhouse. Furthermore, a first-floor extension to enlarge the master bedroom would be added to the southern end of the farmhouse, over the flat roof of an existing ground floor projection. It would include a matching catslide roof and a second dormer window facing west.

Effect on the listed building

12. The use of reclaimed and contrasting materials and modern detailing would clearly define the proposed link extension as a later addition and there would be a notional degree of separation between the former wash house and gable of the extension and a roof valley between. However, the scale of the gable end and its ridge height, together with the increase in its footprint to the northern extent of the former wash house, would result in the link extension being of a size and prominence that would dominate the modest form and proportions of the former wash house. This would undermine the hierarchy and legibility of the historic and plan form relationship between the farmhouse and former wash house.
13. The existing extension to the southern gable is clearly distinguishable as a later addition and the historic form of the farmhouse can still be understood. Nevertheless, it detracts from the strong linear form and proportions of the principal west façade of the farmhouse, so is harmful to its appearance. Like that extension, the proposed first floor extension would continue the ridgeline of the existing farmhouse but the additional length added to the catslide and the incorporation of a second dormer window would compound the existing harm caused to the appearance of the listed building. Moreover, both features would add to development forward of the west façade of the farmhouse, further detracting from its appearance. This would not therefore amount to a sensitive addition to the building.
14. Both aspects of the proposal would therefore have a harmful effect on the special interest of the listed building.

Public benefits

15. The statutory duties in Sections 16(2) and 66(1) of the Act are matters of considerable importance and weight and paragraphs 197 and 199 of the Framework are also of paramount importance.
16. The proposal would be harmful to the special historic interest of the Grade II listed building, which would have a negative effect on its significance as a designated heritage asset. In my view the harm that I have identified would

equate to less than substantial harm to its significance. In such circumstances, this harm should be weighed against the public benefits of proposals, which includes the securing of optimal viable use of listed buildings.

17. The proposed first floor extension would obscure the existing flat roof and terrace area, but I have outlined that this aspect of the proposal would otherwise result in harm. This heritage benefit would therefore only be afforded very limited weight.
18. The proposed extensions would improve the internal living environment of the house by increasing the size of and early morning sun within the master bedroom and providing a kitchen and dining room which could be enjoyed by the appellant and his family. However, these would be largely private benefits restricted to the appellant, so would not amount to public benefits.
19. There is also no substantive evidence before me to suggest that the proposals are required to make the building habitable or sustain the heritage asset. The continued viable use of the appeal property as a dwelling would therefore not be dependent on it, as the building has an ongoing residential use that would be unlikely to cease in its absence.
20. Taking the above together, the public benefits that I have outlined would not justify allowing works and development that would be harmful to the special historic interest of the listed building. In accordance with paragraphs 199 and 202 of the Framework, considered together, I therefore conclude that the public benefits do not outweigh the great weight to be given to the less than substantial harm that I have identified.

Conclusions on the main issue

21. For the above reasons, I conclude that the appeal proposal would fail to preserve the special historic interest of the Grade II listed farmhouse. Hence, the proposal would fail to satisfy the requirements of the Act, paragraphs 197 and 199 of the Framework and conflicts with the design and heritage aims of Policies CN01 and CN06 of the Council's Local Plan.

Other Matters

22. The appeal site sits on the Shotley Peninsular within the AONB but, given the location of the proposal between existing built development within the site, it would not have a harmful effect on the wider landscape of the AONB.

Planning Balance

23. The development plan for the area includes the Local Plan. While this predates the current Framework, it is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to policies according to their consistency with the Framework.
24. Despite the absence of a balancing exercise in relation to heritage harms in Policy CN06, this policy is generally consistent with the heritage aims of the Framework and the statutory duties of the Act. Nevertheless, I only afford moderate weight to the conflict of the proposal with this policy given that it does not include any such balancing exercise.

25. I have already identified the benefits of the appeal scheme as part of the assessment of public benefits in undertaking the necessary balancing exercise in relation to the heritage asset. In terms of harm, the proposed development would not comply with development plan policy in respect of the harm to the listed building.
26. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole, and I find that the adverse impacts of the proposal are matters of great weight against the approval of the appeal scheme that outweigh the claimed benefits.

Conclusion

27. The proposal would be contrary to the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Accordingly, for the reasons given, I conclude that the appeals should not succeed.

Paul Thompson

INSPECTOR