



Appeal Decision

Site visit made on 4 April 2022

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2022

Appeal Ref: APP/P1133/Y/21/3285347

The Forge, Road From Rollestone Farm To The Ley Arms, Kenn EX6 7UH

- 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 Mrs Thomas against the decision of Teignbridge District Council.
 - The application Ref 21/01923/LBC, dated 23 August 2021, was refused by notice dated 21 October 2021.
 - The works proposed are single storey extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The dwelling The Old Forge is listed at Grade II and within the Kenn Conservation Area (the CA). In that context, the main issue to be considered is the effect of the proposal on the special architectural and historic interest of the listed building and, linked to that, whether it would preserve or enhance the character or appearance of the CA.

Reasons

3. The likely eighteenth-century core of The Old Forge is formed of two ranges in an L plan, with a porch within the angle, and offers the principal expression of the significance of the building. Its fabric of whitewashed cob and stone walls under pitched thatched roofs further allows it to contribute positively to the informal grouping of similar styled buildings which comprise this part of the CA.
4. The Old Forge has seen two significant, late twentieth century extensions. To its east flank, a two-storey range with a thatched roof has been added, and to the rear, a single storey structure has partly filled a small courtyard. Historic mapping and the depth and shape of the courtyard walls indicate that an older structure may have once stood within it. However, beyond that, the evidence before me offers little clarity on this potentially important aspect of significance.
5. Nonetheless, the works would project somewhat crudely from the single storey infill. Its slightly protruding rooflights and functional geometry would cut an ill-defined side profile, with awkward junctions with the existing fabric. The works would therefore introduce an element of poor design, detrimental to the special interest of the listed building and the character and appearance of the CA. Given the relatively limited impact of the works, I would quantify the harm to both designated heritage assets as less than substantial.
6. Paragraph 199 of the National Planning Policy Framework (the Framework) explains that great weight should be given to the conservation of designated

heritage assets. Paragraph 202 goes on to require decision makers to weigh any less than substantial harm to a designated heritage asset against the public benefits of the scheme, including securing its optimum viable use.

7. That balancing exercise must take place in the context of s.16(2) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which set a strong presumption against a grant of listed building consent for works that would cause harm to the special interest of a listed building and fail to preserve or enhance the character or appearance of a conservation area.
8. The single storey infill is finished in unsympathetic, modern materials which would be replaced with more traditional ones. However, the difference would not be particularly discernible from the public realm, a slight distance east, and would not mitigate the issues I have found. As such, the weight I attach to this benefit falls short of justifying the harm that would be caused; harm that must be given considerable importance and weight in the balancing exercise.
9. That conclusion also draws the proposal into conflict with Policy EN5 of the Teignbridge Local Plan 2013-2033 (adopted 2014) insofar as it seeks to protect historic environments generally and listed buildings and conservation areas respectively.
10. The appellant has also referred to a 2011 consent for works which would have added a two-storey extension in place of the existing single storey structure¹. However, I am not beholden to that decision, which predates seminal changes to local and national planning policy, and there is no clear evidence that the consent is extant. It has therefore carried little weight in favour of the works.
11. For these given reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR

¹ Under ref: 11/01299/LBC