



Appeal Decisions

Site visit made on 6 December 2022

by R Norman BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2023

Appeal A Ref: APP/J0540/W/22/3292519

Two Hoots, Main Street, Southorpe PE9 3BX

- 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 Martin Rogers against the decision of Peterborough City Council.
 - The application Ref 21/01490/HHFUL, dated 16 September 2021, was refused by notice dated 29 November 2021.
 - The development proposed is described as revisions to approved plans 19/01612/HHFUL to insert four rooflights on the garden room, alterations to roof and south elevation of garage, insertion of projecting rooflight on the courtyard room.
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Appeal B Ref: APP/J0540/Y/22/3292537

Two Hoots, Main Street, Southorpe PE9 3BX

- The appeal is made under section 20 of the Planning (Listed Building and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Martin Rogers against the decision of Peterborough City Council
 - The application Ref 21/01491/LBC, dated 16 September 2021, was refused by notice dated 14 December 2021
 - The works proposed are described as revisions to approved plans 19/01845/LBC to insert four rooflights on the garden room, alterations to roof and south elevation of garage, insertion of projecting rooflight on the courtyard room.
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Decision

1. **Appeal A** is allowed and planning permission is granted for revisions to approved plans 19/01612/HHFUL to insert four rooflights on the garden room, alterations to roof and south elevation of garage, insertion of projecting rooflight on the courtyard room at Two Hoots, Main Street, Southorpe, PE9 3BX in accordance with the terms of the application, Ref 21/01490/HHFUL dated 16 September 2021, subject to the conditions in the attached schedule.
2. **Appeal B** is allowed and listed building consent is granted for revisions to approved plans 19/01845/LBC to insert four rooflights on the garden room, alterations to roof and south elevation of garage, insertion of projecting rooflight on the courtyard room at Two Hoots, Main Street, Southorpe, PE9 3BX in accordance with the terms of the application, Ref 21/01491/LBC, dated 16 September 2021, and the plans submitted with it (Drawing Numbers 1360-05 Revision 1 (Existing and proposed site plans); 1360-04 (Courtyard Room as built); 1360-03 Revision 1 (Garden room revised including new garage inset)) subject to condition 2 in the attached schedule.

Preliminary Matters

3. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
4. As the proposal concerns a building which is 'listed' by virtue of being within the curtilage of a Listed Building and is located in a Conservation Area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The Listed Building is referred to as Briars Farmhouse in the formal listing however in some of the correspondence received in relation to this appeal the property has also been referred to as Bottom Farmhouse. I have used the name Briars Farmhouse throughout my decision.
6. The development relates to a previously approved scheme for the construction of a new garden room (with associated engineering works), construction of a new single storey extension and construction of a new carport at the rear¹ which was approved in March 2020. The development and works are currently underway however the garden room rooflights, the courtyard room rooflight and the cart shed design have not been constructed in accordance with the originally approved plans. The Council have only raised concerns with the projecting rooflight to the courtyard room and I have little before me to lead me to disagree with the Council in relation to the other amendments. As such, I have considered all of the amended elements in my determination of this appeal however my reasoning below focuses on the courtyard room rooflight.
7. The description of development included in part E of the appeal form and on the application form differ and were not precise in nature. The Appellant and Council have agreed a revised description of development which I have used in the headings above and amended slightly in respect of the reference number in relation to the Listed Building application and appeal and removed the word 'retrospective' as this does not constitute development or works.

Main Issues

8. The main issues are:

Appeals A and B:

- Whether the proposal i) preserves the special architectural and historic interest of the Grade II Listed Building, Briars Farmhouse and ii) preserves or enhances the character or appearance of the Southorpe Conservation Area.

Reasons

Special Interest and Significance of the Grade II Listed Building

9. The appeal site consists of an existing residential property, known as Two Hoots, and its associated garden land. It sits within a small cluster of properties with one relatively large dwelling set back along a driveway, The Granary, and another property across the driveway. It is this latter property, Briars Farmhouse, which is Grade II listed and accordingly, due to its relationship and proximity, the appeal property is considered to be curtilage listed.

¹ 19/01612/HHFUL and 19/01845/LBC

10. Briars Farmhouse has the list entry number 1222396 Briars Farmhouse, Main Street. It is a detached property which dates from the 18th Century and is constructed of coursed stone and tiled roof. It has a pair of brick chimney stacks and two prominent dormer windows to the front elevation. The listing description refers to it having some later additions. It is set back from the road with a well landscaped front garden and is separated from the appeal property by a gravel driveway.
11. Its special interest and significance therefore lies predominantly in its historical and architectural interests, being a fine example of a modest and traditional 18th Century dwelling, which largely retains its vernacular form and features.
12. Pertinent to the appeal, Two Hoots is a barn of similar traditional construction and materials to Briars Farmhouse and has been converted for residential use. Having regard to the submitted evidence, by virtue of its historic and functional links, as well as its physical and visual associations, with Briars Farmhouse it contributes positively to the listed building's special interest and significance. In addition to its contribution to the listed building, the appeal property has its own significance and historic merit as a building with traditional form, proportions and characteristics. From the public realm, the buildings within the appeal site and to the rear appear as a comprehensive series of structures, although they are presently separate properties.
13. The appeal site is also located within the Southorpe Conservation Area, which occupies the whole of the settlement of Southorpe. The Conservation Area was designated in 1990 and follows the historic linear nature of the developed form as well as incorporating some areas of undeveloped land along Main Street. The defining characteristics of the Conservation Area are its historic pattern of rural development with the majority of properties fronting the street, set amongst a verdant landscape setting. Many of the properties within the Conservation Area display traditional and historic features and overall have a historic relationship to the surrounding agricultural landscape.
14. The appeal site occupies one of the frontage plots and is reasonably prominent when travelling along Main Street given its location at the edge of the village and adjacent to open fields. It makes a positive contribution to the to the Conservation Area through its traditional form, character and appearance which supplies a simple and understated façade to the street scene.

Appeal proposal and effects

15. The appeal relates to a development and works that are underway and relates to the elements of the development which have not been carried out as originally approved. One rooflight, installed to the courtyard building of Two Hoots is elevated and has not been installed in accordance with the drawings. It is partially visible from the road.
16. Although visible from some angles along the driveway the rooflight does not form a prominent feature. It is set on a flat roof behind a pitched roofed building and there is a stone flanking wall. From some angles it is also largely obscured by the existing trees and vegetation within the immediate curtilage of the listed building. The material and colour of the installed rooflight is as approved and was deemed acceptable previously and I have little before me to lead me to disagree with this conclusion.

17. I find that, although visible and raised, the rooflight does not harm the special interest and significance of the listed building and the historic and functional associations of Two Hoots with Briars Farmhouse can still be perceived and understood and thus the heritage merit of the listed building is sustained. The rooflight also does not harm the character or appearance of the Conservation Area, as a result of its positioning, set back, flat roofed location and the intervening structures.
18. Consequently, the rooflight as installed is acceptable and preserves the special architectural and historic interest of the Grade II listed building, Briars Farmhouse and preserves the character or appearance of the Southorpe Conservation Area. It therefore accords with the Act, the provisions of the Framework and Policy LP19 of the Peterborough Local Plan 2016 to 2036 (2019) which seeks to protect designated heritage assets and their settings, amongst other things.
19. As I find no harm to the special interest and the significance of the designated heritage assets it is not necessary for me to consider the public benefits of the proposal.

Other Matters

20. The rooflight is visible from the property to the rear of the appeal site, however it does not give rise to a dominant or obtrusive feature and does not result in any undue overlooking or therefore harm to either adjacent property.

Conditions

21. As the works have been commenced it is not necessary for me to impose a time limit condition. The Council have suggested conditions which I have considered against the tests in the Planning Practice Guidance. I have imposed a condition on the planning permission listing the approved plans as this provides certainty. However, it is not necessary for this to be included as a condition on the listed building consent, as adherence to the plans which accompany the application is part of the formal decision. I have imposed a condition relating to the details being retained in accordance with the previous conditions discharge application as this provides certainty and to ensure the works remain suitable in relation to the listed building and the conservation area.

Conclusion

22. For the above reasons, and having regard to all matters raised, I conclude that both Appeals A and B should be allowed.

R Norman

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be retained in accordance with the following approved plans: Drawing Numbers 1360-05 Revision 1 (Existing and proposed site plans); 1360-04 (Courtyard Room as built); 1360-03 Revision 1 (Garden room revised including new garage inset).
- 2) The external finishing materials shall be retained as per details approved under Discharge of Conditions reference 20/01128/DISCHG.