



Appeal Decision

Site visit made on 27 March 2023

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th April 2023

Appeal Ref: APP/M2840/Y/22/3301840

Rutherford Cottage, 1-2 Sudborough Road, Slipton, Northamptonshire NN14 3AQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice with the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Ms Janson-Caddel and Ms Jamieson against North Northamptonshire Council.
 - The application Ref NE/22/00315/LBC is dated 8 March 2022.
 - The works are retention of roof structure, reinstated following fire damage.
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Decision

1. The appeal is allowed and listed building consent is granted for retention of roof structure, reinstated following fire damage, at Rutherford Cottage, 1-2 Sudborough Road, Slipton, Northamptonshire NN14 3AQ in accordance with the terms of the application Ref NE/22/00315/LBC, dated 8 March 2022.

Applications for costs

2. An application for costs was made by Ms Janson-Caddel and Ms Jamieson against North Northamptonshire Council. That application is the subject of a separate Decision.

Preliminary Matters

3. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker, when considering whether to grant listed building consent for any works, to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest which it possesses. I shall have regard to this statutory duty in my determination of this appeal.
4. The Council's Statement of Case indicates that it would have refused listed building consent had it been in a position to do so. This would have been for reasons related to its consideration that the roof structure, if retained, would cause harm to the significance of the listed building in question with no material public benefits to outweigh that harm. I shall formulate the appeal's main issue on this basis.

Main Issue

5. Whether the works undertaken to the roof structure have preserved the Grade II listed building known as '1-2 and 3, Sudborough Road' (the listed

building)), including any of the features of special architectural or historic interest that it possesses.

Background

6. The submitted evidence indicates that the listed building, then a short row of cottages, was damaged by a fire that occurred in 2018. It is my understanding that this damage was extensive and included the destruction of the property's entire roof and support structure. Various subsequent applications for development or works were submitted, that culminated in planning permission¹ and listed building consent² being granted in 2021 for the listed building's reinstatement as a single dwelling in conjunction with internal and external alterations. My inspection of the property indicated that its reinstatement is now complete.
7. Condition 6 of the listed building consent required a detailed design for the building's roof structure to be submitted for written approval. An application to discharge this and other conditions attached to the listed building consent was, in so far as it related to Condition 6, refused by the Council based on its consideration that the submitted details would have failed to maintain the historic integrity of the listed building or reflect the traditional roof structure/form. The application that is now the subject of this appeal then followed.

Reasons

8. The listed building, according to the statutory list description³, dates to the mid-18th-century. Its elevations are for the most part comprised of coursed limestone and set beneath a thatched roof. The listed building's significance and special interest as a designated heritage asset is drawn, in part, from its age, its palette of traditional external-facing materials, and its relevance to the historic evolution and rural history of the area. Significance and special interest is further underpinned by the property's uncomplicated linear form and authentic vernacular appearance, which remains appreciable despite a subordinate extension to the rear.
9. The roof structure that has been installed and that is the focus of my considerations is comprised of seven equidistant trusses of slimline design set between stone-constructed gable-ends. The trusses are pre-formed, connected with gang-nail metal plates, manufactured from softwood, and routinely interspersed with rafters and other supporting elements of matching wood type.
10. Uncertainty prevails as regards the makeup of the roof structure prior to the fire. Nevertheless, listed building consent was granted in 1991 for a new integrated roof structure to support existing timbers and re-thatching, and there is related correspondence⁴ before me that points towards the listed building's roof being in a poor condition at around that time and to the installation of treated softwood timbers. Whilst this correspondence is undated and would appear to emanate from a professional whose role in the works

¹ NE/21/00204/FUL

² NE/21/00205/LBC

³ List Entry Number: 1226322

⁴ from Graham Churnton of Traditional Master Thatchers Limited

carried out in the early 1990s is unclear, it serves to emphasise that there is no certainty that significant elements of hardwood remained when the fire struck.

11. In any event, even if considerable hardwood remnants did exist, no part of the historic fabric that once formed the roof's structure remained following the fire. Whilst any loss of historic roof fabric was regretful, a heavy-section hardwood structure set in a five-truss formation and connected with mortise and tenon joints, as championed by the Council, would not, to my mind, comprise a genuinely authentic replacement nor serve to reclaim the historic integrity of the listed building. This is especially in the context of the lack of clarity associated to what was in-situ prior to the fire and subsequent works of reinstatement. I have had regard to Historic England guidance on making changes to heritage assets in coming to these findings.
12. In the context just explained, the softwood roof structure that has been installed represents a sensible and discreet solution that reflects the modern era of its construction. Moreover, other than from within the property's roof space, the installed roof structure is not seen and does not prejudice or materially dilute the listed building's vernacular character and appearance as read and experienced in overall terms. It is also relevant that the replaced roof structure comprises only a small part of what has been a far-reaching and seemingly well-executed scheme of renovation.
13. Thus, notwithstanding the detailed requirements of Condition 6 attached to the 2021 listed building consent, the works undertaken to the roof structure have, for the above reasons, preserved the special interest of the listed building and caused no harm to its significance. I therefore find that the works accord with Section 16(2) of the Act. I also find that no conflict arises with Policy 2 of the North Northamptonshire Joint Core Strategy (2016) and the historic environment conservation and enhancement policies contained within the National Planning Policy Framework (July 2021) in so far as these policies set out that the distinctive North Northamptonshire historic environment will be protected, preserved and, where appropriate, enhanced.

Conclusion

14. For the above reasons, the appeal is allowed and listed building consent is granted. As the works have already taken place, and a condition specifying the approved plans would fail the test of necessity as the appeal is granted in accordance with the terms of the application as referenced, no conditions are required.

Andrew Smith

INSPECTOR