



Appeal Decision

Site visit made on 13 June 2023

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 3 July 2023

Appeal Ref: APP/D3505/W/21/3285665

5 Chedworth Place, Tattingstone IP9 2ND

- 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 Jonathan Gornall against the decision of Babergh District Council.
 - The application Ref DC/21/04746, dated 26 August 2021, was refused by notice dated 12 October 2021.
 - The development proposed is single-storey rear enclosed porch extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although a Listed Building Consent Appeal Form was submitted, the Appellant confirmed that they wish to appeal the refusal to grant planning permission. I have therefore assessed the appeal on this basis.
3. As the appeal relates to a listed building I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the proposal on the significance of a Grade II listed building, St Mary's Hospital.

Reasons

5. The building was listed in 1990 and dates from the 18th century. It is a two storey 'U' shaped building that was originally a workhouse involved in the manufacturing of yarn and the cultivation of the surrounding land. Alterations to the building were made in the 19th century. In 1930 the building was used as a hospital for the long term care of the elderly and further additions and alterations were made to the building in the 20th century. The hospital was closed in 1991 and in 2001 the building was converted to its current residential use.
6. The building underwent considerable remodelling as part of its conversion to dwellings. These include the re-siting of doors and windows and the insertion of windows of different types and sizes to the originals including double-glazed window units. In addition, new porches were erected at the front of each property, where none had existed before.

7. Notwithstanding the above, the building retains uniformity through the common use of materials including brick, and the similar style of windows used across the elevations. This results in a unified functional character that reflects the historic uses of the building. The building also appears to have a limited number of single storey extensions such that the overall 'U' shape of the overall plan form of the building is clearly legible.
8. No 5 Chedworth Place (No 5) is the end of terrace property at one end of the 'U' shaped building. Given its form, materials and fenestration, it is in keeping with the character of the wider building.
9. While I note the evidence regarding a historic single storey extension and evidence of lead flashing, there is little substantial evidence before me to indicate the date, size or function of such a historic structure.
10. Given the above, I find that the special interest and significance of the listed building, insofar as it relates to this appeal, to be primarily associated with the legibility of the historic uses of the building and its unified character.
11. The proposed extension would be a single storey flat-roofed structure to the rear of No 5 to serve as an enclosed porch. The proposed flat roof would appear incongruous against the traditional form and pitched roofs of the wider building. Although the design of the roof would result in a lower overall roof height than a pitched roof, it would nonetheless appear discordant against the traditional character of the host building.
12. The proposed use of timber cladding would also appear incongruous against the brick of the wider building, particularly as the wider building lacks timber as a facing material. I note that the proposal would not involve the loss of historic fabric and the desire to distinguish deliberate change to the building. However, the form and materials of the proposal would detract from the legibility of the historic core of the listed building thus failing to preserve its special interest and significance.
13. Although I note the extension at No 15 Chedworth Place, given that it appears to be the only substantial extension along this side of the building, the character of the building retains its overall uniform and utilitarian character. Therefore, it has not altered my overall decision. I also note the other works to the wider building such as insertion of windows including at No 9 Chedworth Place. However, limited details are before me and in any event appear to be different to the proposal such that they are not directly comparable to this appeal.
14. The appellant has suggested that the proposal would not harm the listed building because it would not be more widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
15. Given the above, I find that the proposal would fail to preserve the significance and special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
16. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be

harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Given the limited scale of the proposed extension, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

17. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because it would enhance the liveability of the property given that the existing door serves a living area. However, these are private benefits that would not outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
18. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, paragraph 199 of the Framework and development plan policies. In particular, the proposal would conflict with Policy CN06 of the Babergh Local Plan Alteration No.2 Adopted June 2006 and Policy CS15 of the Core Strategy & Policies Part 1 of New Babergh Local Plan February 2014 which seek, among other things, proposals that harmonise with the existing building and respect heritage assets.

Other Matter

19. I note the concerns regarding the service provided by the Council. However, I have necessarily assessed the scheme on the basis of its planning merits.

Conclusion

20. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

R.Sabu

INSPECTOR