



## Appeal Decision

Site visit made on 15 August 2023

**by H Lock BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12<sup>th</sup> September 2023

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**Appeal Ref: APP/X3540/D/23/3322708**

**The Boot House, Church Road, Marlesford, IP13 0AT**

- 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 Ms Y Maycroft against the decision of East Suffolk Council.
  - The application Ref. DC/21/3725/FUL, dated 4 August 2021, was refused by notice dated 9 May 2023.
  - The development proposed is three roof lights.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The original planning application sought permission for two dormer windows on the western elevation of the building, and one conservation rooflight on the northern roof slope. It would appear that various alternative options were presented to the Council after submission, but prior to determination the scheme was amended to replace the dormer windows with two conservation roof lights. I have determined the appeal on this basis.

### Main Issue

3. The main issue is the effect of the proposal on the character, appearance and special interest of the Marlesford Conservation Area.

### Reasons

4. The appeal property is a detached dwelling created from a building conversion and extension. It has a staggered ridge line but an otherwise simple and unaltered pantile roof. The building is prominently located towards an entrance to the conservation area, and forms part of a cluster of dwellings in the vicinity of the Grade I listed Church of St Andrew. The churchyard sits elevated above an open meadow, with The Boot House beyond. There are views of the appeal property from a public footpath which passes through the churchyard.
5. In exercising planning functions there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. The Council's published Marlesford Conservation Area Appraisal 2014 (CAA) identifies Marlesford as a reasonably small village, with a clearly defined relationship between the topography of the

land and the historical development of the settlement. This has created a strong sense of visual cohesion and unity, which is strengthened by the predominance of vernacular building forms, details and materials. As noted in the CAA, Marlesford has suffered relatively little unsympathetic modern intrusion within the conservation area, and this continues to be apparent. A character map to the CAA highlights the appeal property as one of a cluster of unlisted buildings which make a positive contribution to the conservation area.

6. Section 13 of the CAA advises that new developments and the cumulative effect of incremental change are a constant threat to the special architectural and historical interest of the conservation area, and this can include alterations and extensions which do not respect the scale, form and detailing of existing buildings, and the use of modern materials and details. The CAA identifies important views within the conservation area, and it was apparent at the appeal site visit that The Boot House forms part of an important vista on approach into the village. The relative ground levels and building heights means that from the road and public footpath it contributes to a view of largely unaltered roof slopes of traditional buildings in the village.
7. The Council's Historic Environment Supplementary Planning Document 2021 (SPD) notes that rooflights are a more recent innovation, are not part of the local vernacular, and will not be acceptable to buildings in conservation areas because they can harm the quality of the streetscene or integrity and character of the building. I accept the appellant's view that conservation rooflights are designed to be sympathetic in appearance to traditional style buildings. However, given the absence of such features in the roofscape of which The Boot House forms part, I am persuaded that this location would be particularly sensitive to this type of change.
8. The proposed bathroom rooflight in the north-facing elevation would be particularly prominent in views on approach to the village, and would introduce a modern addition to this simple roof plane. The west-facing rooflights would be less obvious, given the location and dense tree planting. However, the screening effect would be seasonal, and the rooflights would likely be more obvious in winter months. Moreover, the screen planting is beyond the boundaries of the appeal site, and therefore not within the control of the appellant; and as trees and hedges have natural life spans their retention cannot be guaranteed.
9. The appellant has identified other rooflights within the village and conservation area, and at the appeal site visit it was evident that some are as prominently sited as the proposed northern rooflight. However, no details have been supplied of the date or circumstances of their installation, and I do not know if they required or obtained express planning permission, or pre-dated the Council's current policy and guidance. In any event, rooflights are not prevalent features within the conservation area and those that exist are the exception.
10. The appellant advises that the rooflights could be installed as Permitted Development under Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, the Council confirmed that such rights were restricted by Condition 8 of planning consent ref. C/05/1225. As such, I cannot give this any weight as a 'fallback' position.

11. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of the level of harm to its significance. Having regard to paragraph 202 of the Framework, I consider that the harm to the significance of the conservation area (as a designated heritage asset) would be less than substantial, but this harm should nevertheless be weighed against the public benefits of the proposal.
12. The parties have not provided any plans of the previous extension and conversion of the appeal building, but a mezzanine floor is in place, part of which is used as a habitable room devoid of any natural light, ventilation or escape opening. The provision of rooflights to the mezzanine would be a clear improvement for any occupants of the property but that would be a private rather than public benefit. I note that the rooflight to the bathroom seeks to prevent condensation and damp, but again this would be a private benefit. The provision of natural light and ventilation to the bedroom and bathroom would reduce reliance on powered lighting and ventilation, but these would offer a very modest level of public benefit that would not outweigh the identified harm to the significance of the conservation area.
13. I therefore conclude that the proposal would not preserve or enhance the character and appearance of the Marlesford Conservation Area, and would detract from part of its special interest. This would conflict with the statutory duty, the Framework, and Policies SCLP11.1, SCLP11.3 and SCLP11.5 of the East Suffolk Council Suffolk Coastal Local Plan 2020, as supported by the SPD, which together seek high quality design which demonstrates a clear understanding of the character of the built and historic environment, responds to local context and the form of surrounding buildings, and reinforces the national objectives in respect of the conservation of heritage assets.

### **Other Matters**

14. There are trees the subject of Tree Preservation Order SCDC/05/00188 adjacent to, and overhanging the site. However, I share the Council's assessment, that a theoretical possibility of increased need to reduce the crown of the adjacent beech tree would not be insufficient grounds for objection. The public amenity value of the trees would not be harmed by the proposal.
15. The appeal site is within the vicinity of the Grade I listed St Andrew's Church. However, given the elevated position of that building and the distance between the two, I am satisfied that the proposal would not adversely affect the setting of this or any other listed building.

### **Conclusion**

16. For the above reasons, I conclude that this appeal should be dismissed.

*H Lock*

INSPECTOR