



Appeal Decision

Site visit made on 19 September 2023

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 25 September 2023

Appeal Ref: APP/P1133/Y/22/3307972

Burne, East Burne Farm, Bickington, Newton Abbot TQ12 6PA

- 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 Mr. M Pallett against the decision of Teignbridge District Council.
 - The application Ref 22/00158/LBC, dated 25 January 2022, was refused by notice dated 1 June 2022.
 - The works proposed are Installation of wood burning stove and flue.
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Decision

1. The appeal is allowed and listed building consent is granted for Installation of wood burning stove and flue at Burne, East Burne Farm, Newton Abbot, TQ12 6PA in accordance with the terms of the application Ref 22/00158/LBC dated 25 January 2022 and the plans submitted with it subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) The hereby approved flue shall have a matt grey appearance as set out in the Heritage Statement dated January 2022.

Main Issue

2. East Burne Farmhouse is a Grade II listed building. The main issue to be considered, therefore, is the effect of the proposal on the special architectural and historic interest of the listed building.

Reasons

3. East Burne Farmhouse dates from the late fifteenth century and has a distinctly vernacular character. The farmstead is nestled within the rolling slopes of the countryside, and is served by a substantial amount of land. The farmhouse sits within a number of later additions, some of which are physically linked to it, indicating the change and growth of the farmstead over a significant period. As a result, the Farmhouse maintains its historic functional character whilst demonstrating its evolution.
4. The annex to which the works are proposed is a later addition to the farmhouse, called the Pound, with reference within the evidence to it having previously been used as a cider press. Following the grant of permission in 2009 the annex was converted to residential use which resulted in significant changes to the building. As I saw at my site visit, the annex exhibits a distinctly domestic appearance, with large windows in the elevations and rooflights incorporated into the roof slope. The palette of materials and colours

gives a respectful nod to its history as an ancillary building, however due to the previous works it has a clear residential character.

5. Due to the previous replacement of the roof and the floor, the proposed flue would not require the removal of any historical fabric. It would be located in a discreet position, and materials would reflect the rural history of the site. As a consequence, and subject to the use of appropriate materials and treatment, a matter that could be secured by conditions, the proposed flue would have no harmful impact on the special architectural and historic interest of the building.
6. The flue would not be visible from public view. Whilst it would be visible from the rear of the property, due to the change in land levels, it would be experienced as one element within a complex roofscape. Having regard to the existing variation in rooflines, materials, and land levels created by the Farmhouse and curtilage buildings, I am satisfied that the flue would not harm the setting of the listed building.
7. Bringing these points together the proposal meets the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies EN5 and S2 of the Teignbridge District Local Plan 2013 – 2033 which support proposals that conserve heritage assets, and the approach to designated heritage assets set out in the National Planning Policy Framework.

Conditions

8. In addition to the commencement condition, I have imposed a condition to secure the appearance of the flue so that it sits comfortably within the roofscape of the building, such to ensure the legibility of the heritage asset.
9. The Council suggested conditions relating to plans and to secure the wood used in the flue to that sourced from the holding. This decision deals only with consent for works to the listed building. A condition listing the plans would not meet the test of necessity set out in the Framework as the consent is for the works and plans as approved, as set out in this decision. The Council accepts that a condition requiring wood to be sourced from the holding would fail the test of enforceability. Whilst it would assist in reducing the carbon impact of the flue, given my reasons above I do not consider such a condition to meet the test of necessity.

Conclusion

10. For the reasons above, the appeal is allowed, subject to conditions.

J Ayres BA Hons, Solicitor

INSPECTOR