



Appeal Decision

Site visit made on 29 January 2024

by L Fleming BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 February 2024

Appeal Ref: APP/W3520/D/23/3324776

The Anchorage, The Street, Rickingham Superior, Suffolk IP22 1DY

- 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 Andy and Mrs Gill Wildmun against the decision of Mid Suffolk District Council.
 - The application Ref DC/23/00542, dated 2 February 2023, was refused by notice dated 3 April 2023.
 - The development proposed is described as a single storey rear extension to existing dwelling. Remove existing section of roof and replace with shallower lean-to roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Babergh and Mid Suffolk Joint Local Plan, Part 1 (2023) (JLP) was adopted in November 2023. The revised National Planning Policy Framework (the Framework) was published in December 2023, both after the Council's decision. I am required to have regard to the development plan at the time of my determination and the revised Framework.
3. The JLP supersedes the Policies referred to in the decision notice. I have not felt it necessary to consult the parties on the JLP or the Framework as the outcome of the appeal would have been the same irrespective of them because the aims of the relevant Policies are not materially different. I am satisfied no party has been prejudiced by my approach.
4. The evidence refers to an application for listed building consent for the same scheme. I confirm that the appeal before me concerns only the application for planning permission.

Main Issues

5. The main issues are the effects of the proposal on:
 - The special architectural and historic interest of the grade II listed The Anchorage and the character and appearance of the area bearing in mind it would be within the Botesdale and Rickingham Conservation Area and within the setting of the grade II listed Jessamine Lodge.
 - Ecology.

Reasons

6. The appeal property is a two-storey dwelling known as the grade II listed The Anchorage (the Anchorage). It is next to the grade II listed Jessamine Lodge (Jessamine Lodge). Both the Anchorage and Jessamine Lodge are within the Botesdale and Rickinghall Conservation Area (CA).

The significance of the Anchorage, Jessamine Lodge and the CA

7. The Anchorage is C18 (altered C19), timber framed, plastered with a clay tiled roof and is positioned adjacent to the road edge. It was originally two-cell but has been extended to the rear with two adjacent single storey timber framed additions which have slightly different roof pitches.
8. Jessamine Lodge is a three-storey dwelling with attic. It is positioned next to the Anchorage and the road edge. It has a three-cell plan and is early C18, extended and altered mid to late C19. It is timber framed, plastered with a vitrified brick header facade with red brick dressings and a steeply hipped plain tiled roof with slate to the rear.
9. The CA covers the main built-up areas of the rural settlements of Botesdale and Rickinghall which extend mainly along the main route through them and adjoin each other. The CA has a variety of traditional buildings such as the Anchorage and Jessamine Lodge. These are mainly tightly arranged along the road frontages, particularly on the main routes. Many of the historical buildings are timber framed and finished in a variety of local materials, such as plaster clay, slate and thatch.
10. Thus, insofar as is relevant to this appeal, the significance of both the grade II listed Anchorage and Jessamine Lodge, is founded on their simple traditional architectural detailing and group value as part of a row traditional dwellings which extend along the road frontage. Insofar as is relevant to this appeal the significance of the CA derives from the variety of traditional architecture, it's layout and the relationship between built form and the surrounding countryside.

Effect on the significance of Anchorage, Jessamine Lodge and the CA

11. It is proposed to replace the existing lower section of the single storey lean-to roof with a new shallower pitched roof with raised eaves to match the adjacent single storey element of the listed building. This replacement roof would then connect to a new single storey shallow, nearly flat roofed single storey rear extension.
12. I accept the proposed roof removal is necessary due to the site topography. I also accept the existing ceiling levels are relatively low and altering the roof is necessary to facilitate access to the proposed extension. I note the altered roof would be finished in matching traditional clay tiles with black painted timber soffits. I also note the proposal would not be visible from The Street, or significantly from anywhere other than the rear garden of the Anchorage. I have also considered the extension to the rear of Jessamine Lodge and have noted the comments regarding the Council's decision associated with a conservatory¹.

¹ Council reference 0040/01/LB

13. However, the proposed extension, with its roof lanterns, large sliding door and contemporary roof finish and form would have a highly modern appearance. Projecting some 4.5 metres to the rear and spanning the majority of the width of the listed building it would be a large and dominant feature of the rear elevation. It's dominant and highly conflicting modern appearance, would draw attention away from the traditional architectural detailing of the listed building. This would harm the significance of the designated heritage asset. The removal of historic fabric associated with the roof works would further compound this harm.
14. Consequently, it follows that this conflict and harm to the significance of the Anchorage, within the setting of Jessamine Lodge and within the CA would also harm the setting and significance of Jessamine Lodge and would fail to preserve the character or appearance of the CA harming its significance as a whole.
15. The harm to the listed buildings and the CA combined would be less than substantial and towards the lower end of any range. However, it is still of considerable importance and weight. In these circumstances, the Framework states that the harm should be weighed against the public benefits of the scheme, which includes securing the asset's optimum viable use. I return to this in my planning and heritage balance below.

Ecology

16. The Council have alleged that the existing roof proposed to be altered may be hosting roosting bats. There is no Ecology Survey to demonstrate to the contrary and the Council's concerns are not disputed. I note the assurances that such a survey would be done. However, based on the appearance of the existing roof, the extent of the proposals and in the absence of any substantive evidence to the contrary, I find there could be a reasonable likelihood of harmful impacts to roosting bats.
17. Circular 06/005 (paragraph 99) makes clear that the presence or otherwise of protected species, and the extent that they may be affected by proposals should be established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. It says clearly that the need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.
18. There are no such exceptional circumstances before me. Thus, in this case I must take a precautionary approach and find with the absence of substantive evidence to the contrary there is a significant risk the appeal proposals would be harmful to ecology. The proposal is therefore contrary to Policy LP16 of the JPL, which among other things seeks to ensure new development does not harm biodiversity including protected species.

Planning and Heritage Balance

19. The proposals would improve the living conditions for the occupiers in terms of additional internal and improved living space. However, with the absence of detailed evidence to the contrary, these are personal benefits and not public. I acknowledge the economic benefits of construction.

20. Overall, any public benefits there maybe are clearly modest and would be insufficient to outweigh the great weight I must attach to the harm I have identified to the designated heritage assets. The risk of harm to ecology carries further weight against the proposals.
21. For the reasons given, the appeal scheme would harm ecology and the special architectural and historic interest of the grade II listed the Anchorage, the character and appearance of the CA and the setting of Jessamine Lodge. Thus, the scheme conflicts with paragraphs 205 and 208 of the Framework. It also fails to accord with Policies LP03, LP16, LP19 and LP24 of the JLP, which taken together seek to safeguard the character and appearance of an area, heritage assets and ecology. However, I find no direct conflict with Policy LP15 of the JLP.

Conclusion

22. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR