



Appeal Decisions

Site visit made on 14 February 2024

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2024

Appeal A Ref: APP/P5870/W/23/3327548

Church Farmhouse, Springclose Lane, Cheam, Sutton SM3 8PU

- 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 J. Akhtar against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/00981, dated 9 May 2022, was refused by notice dated 30 May 2023.
 - The development proposed is a double storey side extension incorporating the extension of the matching roof and a single storey rear infill extension to the existing conservatory.
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Appeal B Ref: APP/P5870/Y/23/3327569

Church Farmhouse, Springclose Lane, Cheam, Sutton SM3 8PU

- 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 J. Akhtar against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/00884, dated 9 May 2022, was refused by notice dated 30 May 2023.
 - The works proposed are a double storey side extension incorporating the extension of the matching roof and a single storey rear infill extension to the existing conservatory.
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Appeal A: Decision

1. The appeal is dismissed.

Appeal B: Decision

2. The appeal is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site. Appeal A concerns the refusal of planning permission and Appeal B concerns the refusal of listed building consent, although in both cases, the appeal site and the proposals are the same. I have considered each proposal on its individual merits and with regard to the relevant legislation, policy and guidance. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
4. The official list entry for the appeal building refers to its name as *Church Farmhouse*, whereas the Royal Mail, the appellant and the Council refer to *Church Farm House*. I am satisfied these names concern the same building but I have used the name from the official list entry in my Decision, for reasons of clarity.

5. As the proposal is in a conservation area, and relates to a listed building, I have had regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

6. The main issues for Appeal A and Appeal B are whether the proposals would:
- preserve a Grade II listed building; and,
 - preserve or enhance the character or appearance of the Cheam Village Conservation Area.

Reasons

7. Church Farmhouse is a Grade II listed building¹. It is stuccoed and 2-storeys in height, with predominantly timber sash windows of various sizes, and two parallel hipped slate roofs containing four chimney stacks. The building has been subdivided, with the appeal property to the west, occupying around a half to two thirds of the building, with a smaller property to the east.
8. The principal elevation faces south eastwards and overlooks a garden area which has been subdivided by a stuccoed wall to match the division of the building itself. Even if the sub-division is discounted, the building has an asymmetrical appearance, showing signs of 19th century alterations to what is thought to be originally a building from the 17th century. These alterations include a full height canted bay to the appeal property and porched entrances to both parts of the building.
9. The rear elevation faces to the northwest and contains both sash and casement windows, together with substantial ground floor mono-pitched roofed conservatories/sunrooms that are more recent alterations. The westernmost conservatory/sunroom, at the appeal property, extends around to the western side elevation of the building, and is partly visible above the boundary wall to the northwest.
10. The listing details make mention of exposed 17th century timbers at the western end of the appeal building, which are said to be indicative of an earlier core to the house, prior to the later alterations. I noted these timbers during my site visit, and in the Heritage Assessment, although they are not shown on the submitted drawings.
11. Church Farmhouse also forms a group with the *Boundary Wall to former West Cheam Manor House*, with *Lumley Chapel*, with *the Church of St Dunstan*, with *the Lychgate* and with *Nos 1 to 4 (consec) Church Road*.
12. In my view, the significance of Church Farmhouse, a designated heritage asset, insofar as it relates to these appeals, stems from its design, materials and historical development, including relative to other listed buildings nearby.
13. The appeal building is located within the Cheam Village Conservation Area (CVCA), which contains a number of distinct character areas. Insofar as it relates to these appeals, the significance of the CVCA stems from the historical development of the area, including from the buildings to be found there and the traditional pattern of streets and spaces.

¹ List Entry Number: 1183834

14. The appeal proposals entail the removal of part of the conservatory on the western side of the building at ground level; the removal of part of the first floor western elevation wall containing the exposed 17th century timbers and windows; and, the removal of the western parts of the two hipped slate roofs. Internally, a fireplace/chimney in the rear first floor bedroom, which is also not shown on the submitted drawings, would also be removed.
15. A new, two-storey, stuccoed extension, with two hipped slate roofs above, would be constructed. This would allow the rear first floor bedroom to be extended westwards with two six-over-six timber sash windows inserted into the northern elevation. Following the removal of the fireplace/chimney in the rear bedroom, an access corridor would be created, with an obscure glazed six-over-six timber sash window in the western elevation. The entrance to the rear bedroom would be moved to allow space for the access corridor, which would connect the existing landing area with a new first floor bedroom at the front of the building, containing a new six-over-six timber sash window on the southern elevation.
16. The proposed extension would reach almost to the western boundary of the site, and at ground floor level would include a central reception room, similarly positioned to the demolished side conservatory. It would be connected to the retained rear conservatory/sunroom via an existing doorway, whilst the sunroom would be extended to provide a storage cupboard at the northwestern corner of the building. A separate entrance hall would be located at the front, connected to the central reception room by a double doorway. The entrance hall to the front would be reached through a new entrance porch, of a scale, design and materials to match the existing entrance porch to the appeal property.
17. The works to the late 20th century rear conservatory/sunroom and the demolition of the side conservatory would not harm the significance of the listed building or the character and appearance of the CVCA. Furthermore, the design of the proposed extension has had some regard to the design of the host building, including the fenestration, the stucco finish to the external walls, the hipped slate roofs and the entrance porch.
18. I do not consider the proposed extension would visually overwhelm or dominate the existing building. However, its design, including a duplicate additional entrance a short distance from the existing entrance, its scale and massing, including a continuation of the existing roof ridgelines, and its position flush with the front and rear elevation walls/eaves, would not be subservient and would further reduce the architectural and historical legibility of the building. This would cause less than substantial harm to the significance of this designated heritage asset.
19. Furthermore, the loss of part of the first floor western elevation wall, including its exposed 17th century timber beams, and to a lesser extent its timber sash and casement windows, would cause harm to the significance of this designated heritage asset. Whilst the harm would be less than substantial, it would still have a considerable adverse effect on the historic fabric of the building. The appellant's own heritage statement² recognises this and even suggests consideration be given to revising the scheme so as to retain *the majority or (preferably) all of the historic timber framing*. However, the scheme has not been revised to address this matter.

² Section 7

20. Recording the details of the western elevation wall prior to its removal, and making this information publicly accessible is something that would be required of the appellant were the appeal to be allowed. However, and contrary to the appellant's Statements of Case, this is not a factor in deciding whether such a loss should be permitted³.
21. A further part of the historic fabric of the building would be lost by the insertion of the easternmost sash window in the rear bedroom, which would cause less than substantial harm to the significance of the building.
22. The other internal works to the rear bedroom, including the westwards extension, the loss of part of it, including the fireplace and chimney, to create an access corridor serving the new front bedroom, and the movement of the entrance doorway, would erode the historic plan layout of the building, causing less than substantial harm to its significance.
23. The proposed extension would provide additional living space for the appellant. However, as set out above, this would cause less than substantial harm to the architectural and historical significance of the listed building.
24. I do not accept the public benefits identified by the appellant would be public benefits. Recording the demolished wall is specifically excluded from consideration, whilst the removal of the side conservatory would have a limited benefit it is done to allow for the proposed extension to be constructed, and so would be harmful overall. Even if they were, they would not outweigh the considerable, although less than substantial harm I have identified. No substantive evidence has been provided that the building cannot function as a dwellinghouse at present.
25. The appeal building makes a positive contribution to the visual and historic significance of the CVCA and the less than substantial harm I have identified would detract from this. Consequently, this would cause less than substantial harm to the CVCA, which would not be outweighed by any public benefits of the proposal.
26. For these reasons, the proposal would not preserve a Grade II listed building and would detract from the character and appearance of the CVCA. It would, insofar as relevant, conflict with Policies 28 (character and design) and 30 (heritage) of the Sutton Local Plan 2018; with Policy HC1 (heritage conservation and growth) of the London Plan 2021; with the Design of Residential Extensions Supplementary Planning Document 2006; and, with the Framework, in this regard.

Other Matters

27. Whilst there are a number of listed buildings nearby which have some group value with the appeal building, the separation distances, and other uses between them and the proposed extension, means their settings would be unaffected.

Conclusion

28. For the reasons given above, I conclude that Appeal A and Appeal B are dismissed.

Andrew Parkin

INSPECTOR

³ Paragraph 211 of the Framework