



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: 4 March 2024

Appeal A Ref: APP/W3520/Y/23/3325041

Coppins Cottage, Clay Lane, Eye, Suffolk, IP23 7DZ

- 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 Brian Belton against the decision of Mid Suffolk District Council.
 - The application Ref DC/23/00187, dated 17 January 2023, was refused by notice dated 13 March 2023.
 - The works proposed are erection of conservatory to existing single storey extension, alterations to fenestration and erection of porch (following demolition of existing external store).
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Appeal B Ref: APP/W3520/W/23/3325047

Coppins Cottage, Clay Lane, Eye, Suffolk, IP23 7DZ

- 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 Brian Belton against the decision of Mid Suffolk District Council.
 - The application Ref DC/23/00186, dated 17 January 2023, was refused by notice dated 13 March 2023.
 - The development proposed is erection of conservatory to existing single storey extension, alterations to fenestration and erection of porch (following demolition of existing external store).
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matters

3. 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 decisions. I am required to have regard to the development plan at the time of my determination and the revised Framework.
4. The JLP supersedes the Policies referred to in the Council's decision notices. I have not felt it necessary to consult the parties on the JLP or the Framework as the outcome of the appeals would have been the same irrespective of them.

This is because the aims of the relevant Policies are not materially different. I am satisfied no party has been prejudiced by my approach.

5. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning except where indicated otherwise.

Main Issue

6. The main issue in both appeals is whether the proposed development/works would preserve the grade II Waysmeet or its setting and any features of special architectural or historic interest that it possesses.

Reasons

Significance

7. The appeal property is a detached grade II listed dwelling which was originally a pair of cottages (Waysmeet). It is of C17/C18 origin, two-cell plan, one and half storey, timber-framed, rendered with a pantile roof and a red brick chimney. It sits with a modest central entrance door facing east towards a narrow rural lane and is surrounded by woodland and countryside.
8. There have been significant extensions and alterations to the listed building. A single storey lean-to extension (the single storey lean-to) rises to the eaves of the two-cell plan element (the historic core). The single storey lean-to spans a significant extent of the west elevation of the historic core, before adjoining a modern porch structure (the existing porch) and a small single storey projection attached to the corner of the historic core (the store). The store is constructed from a variety of materials, including rubble, but is finished in render to match the historic core. The single storey lean-to and the existing porch connect the historic core to a large modern single storey pitched roof extension (the existing single storey rear extension).
9. Even with all the extensions, the historic core remains noticeable and identifiable from both inside and outside the listed building. Insofar as is relevant to these appeals, I find the significance of Waysmeet derives from its traditional architectural detailing, its noticeable historic two-cell plan layout and the buildings relationship with the surrounding rural landscape.

Effect on significance

10. I acknowledge the plot occupied by the listed building was historically much smaller¹ with a ditch running approximately 3 metres from the west wall of the listed building. I accept this has limited how the appeal property could have feasibly been extended over time and has influenced the existing narrow and complicated entrance into the appeal property between the store and the existing single storey rear extension.
11. I also accept that with the vehicular access, the entrance in the buildings north facing elevation is conveniently used as the main entrance to the appeal property, rather than the entrance in the east facing elevation. I also note the store is small, with a low doorway, has restricted headroom and therefore has limited practical use. I have considered the comments that the volume of the appeal proposals combined with the existing extensions do not exceed the

¹ 1885 OS Map Extract (Appendix B to Appellant's Appeal Statement)

volume of the historic core. I also note the intention to use high quality materials.

12. The store is well integrated with the two-cell plan element of the listed building. It is modest, tied in with the historic core through its finish, and in-keeping in traditional character, it does not appear incongruous. Furthermore, the existing porch is a modest, lightweight, and low-height structure. Overall, I find the effect of these existing elements on the significance of the heritage asset is neutral. In my view there is no heritage benefit to the removal of either of them.
13. However, the proposed porch would be much larger than the store and the existing porch structure it would replace. I acknowledge the proposed porch would be slightly inset from the northern elevation. However, when added to the existing lean-to, the proposed porch and existing lean-to would extend almost the full width of the rear elevation of the historic core up to eaves level. Consequently, it would reduce the ability to appreciate the historic core of the heritage asset when the listed building is viewed from the west and would noticeably erode the division between the historic core and the large single storey rear extension.
14. Turning my attention to the proposed conservatory extension. This would significantly extend the footprint of the existing single storey rear extension, some way beyond the southern elevation of the historic core of the listed building (excluding the existing modern conservatory structure). The proposed conservatory with its alternatively pitched gable end and large modern door/window openings would have a conflicting modern character to that of the historic core. I accept the roof pitch would be the same as the existing single storey rear extension which also has a modern appearance, however, through the significant increase in size, the conflict would be more noticeable.
15. Thus, overall, I find the proposals combined would erode the ability to appreciate the historic core of the appeal property. The proposals would also draw attention away from and conflict with the simple layout and architectural details of the historic core of the listed building.
16. Consequently, the proposals would therefore fail to preserve and harm the significance of the grade II listed building. The harm to the listed building 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.

Planning and heritage balance

17. I acknowledge that the proposals would improve the living conditions for the occupants, including providing additional storage opportunities, improved internal spaces, particularly allowing for more efficient and desirable kitchen and dining spaces. However, with the absence of detailed evidence to the contrary I find these are personal benefits and not public. Furthermore, there is no substantive evidence to suggest the use of the appeal property as a dwelling is not viable without the proposals. Consequently, the proposals would not secure the heritage assets optimum viable use.

18. Therefore, any public benefits there may be including minor economic benefits associated with construction, improvements as a living environment, would, in my view, clearly be insufficient to outweigh the great weight I must attach to the less than substantial harm I have identified to the designated heritage asset.
19. The appeal schemes therefore fail to preserve the grade II listed Waysmeet and its features of special architectural and historic interest. Thus, the schemes conflict with paragraphs 205 and 208 of the Framework. The appeal proposals also conflict with Policies LP03 and LP19 of the JLP, which taken together seek to safeguard the character and appearance of an area and heritage assets. I reach all these conclusions having regard to the Historic England advice referenced in the evidence².

Other Matters

20. In reaching these conclusions I have noted the comments with regard to the Council's handling of the proposals. I also note that the appeal property is in good order which in part is due to it being carefully maintained. However, I have had regard only to the planning and heritage merits of the cases, and none of these other matters are sufficient to outweigh my earlier findings.
21. I have also considered the comments with regard to the Council's decisions on schemes at Town Cottage Stuston and Church Cottage Braisworth³. However, these proposals and their context are materially different to that of the appeals before me. I have considered the appeals before me on their merits.

Conclusions

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

L Fleming

INSPECTOR

² Making Changes to Heritage Assets – Historic England Advice Note 2, Historic England, 2016 & Managing Significance in decision Taking in the Historic Environment – Historic Environment Good Practice Advice in Planning: 2, 2015, Historic England.

³ Council References DC/21/03588 & DC/22/00707