
Appeal Decisions

Site visit made on 12 December 2023

by O S Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2024

Appeal Ref: APP/W3520/Y/23/3319584

Rosemary Cottage, Chapel Road, Suffolk IP14 4PP

- 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 and Mrs Towler against the decision of Mid Suffolk District Council.
 - The application Ref DC/22/06307, dated 20 December 2022, was refused by notice dated 8 February 2023.
 - The works proposed are the demolition of an existing conservatory and the erection of a single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is made against the refusal of listed building consent. A simultaneous refusal of planning permission was also issued by the Council¹. This was for the same works as proposed for the listed building consent application but with the addition of landscaping, a cartlodge, associated vehicular access, and also the insertion of a new window at first floor level of the cottage. A valid appeal has not been lodged in relation to the planning application refusal. This appeal therefore only relates to the listed building consent refusal and the works only comprise the demolition and replacement extension to the rear of the listed property. For the avoidance of doubt, despite being on the submitted drawings, the other works, including the new window to the cottage, do not form part of my Decision.
3. It is important to note that the proposed works, even excluding the cartlodge and access, would also require planning permission as well as listed building consent. Therefore, irrespective of my decision on this appeal, the situation with regard to the planning permission may need to be regularised.
4. On 20th November 2023, the Council adopted the Babergh and Mid Suffolk Joint Local Plan (the JLP), which supersedes the Core Strategy 2008 and now forms part of the statutory Development Plan. Policies HB01 and CS05, as sited on the decision notice, are therefore no longer relevant. Policy LP19 is, however, a relevant policy in the JLP and I reflect this as appropriate in my Decision below.

¹ Ref DC/22/06306, dated 8 February 2023.

Main Issue

5. The main issue is the effect of the proposed works on the special architectural or historic interest of Rosemary Cottage, a grade II listed building².

Reasons

Significance

6. Rosemary Cottage is a timber-framed and rendered property with a thatched roof, built in the early 18th Century. Its significance primarily derives from its innate architectural quality and the significant retained historic fabric, such as wattle and daub panels, brickwork, and the timber frame. There is a relatively modern conservatory extension to the rear. This does not contain any historic fabric. It is relatively unassuming in appearance, largely glazed with a clay tile roof. The roof finishes below the bottom of the thatched roof and the slope of the lean-to extension to the south. The conservatory is accessed from a lean-to extension that, although from the 18th Century, is not part of the original, timber framed element of the property.

Proposed

7. It is proposed to demolish the existing conservatory. This is to be replaced by a new extension which would be in the same location but with a deeper and wider footprint. The new extension would be largely glazed, with a zinc roof. The works also involve removing part of the existing both internal and external rear wall, including an existing external window. This is to allow for a larger opening into the new extension than the existing single doorway.

The works

8. Due to its unassuming appearance, subservient size to the main property, and that it respects the roof and parapet lines of the historic roofs, the conservatory neither positively contributes to nor meaningfully detracts from the significance of the listed building. Its demolition is therefore acceptable in principle.
9. The proposed extension would have a hipped zinc roof. This would create an awkward relationship to the profile of the main, the lean-to and the rear extension roofs, all of which are simple sloped roofs. This would be harmful in comparison to the existing conservatory roof, which is also a sloped roof that respects the existing roof forms. In addition, zinc is a more metallic material that would be less in-keeping with the thatch and render of the main building than the existing clay tile. The proposed roof would also impinge into the bargeboard running by the lean-to roof. However, this is fundamentally the same relationship as with the existing conservatory roof, which also impinges into the bargeboard, albeit at a different point, and would not be harmful considered in isolation.
10. The proposed extension would be larger than the existing, but it's footprint would remain a relatively small proportion of the overall footprint of the cottage. The part of the internal/external rear wall to be removed does not contain historic fabric, with no original timber frame and more modern infill having replaced any wattle and daub. The window to be lost is a modern

² List entry No 1032680.

addition from 2007. The associated opening up of the internal plan form would maintain the kitchen in its current location. However, it would be more open and afford more light into the kitchen area. This would subtly alter the hierarchy of spaces in the building and create a living/kitchen/dining area that more directly competes with the two other living rooms to the ground floor than as existing. The proposed loss of this part of the wall and the associated changes to the internal plan form would therefore cause harm, albeit limited, to the building.

Conclusion

11. Due to the awkward relationship between the proposed roof form and the cottage, the out of keeping materiality of the roof, and the changes to plan form and hierarchy of spaces to the ground floor, the proposed works would harm the special architectural and historic interest of Rosemary Cottage. The proposal consequently fails to comply with the requirements of s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy LP19 of the JLP which reflects the requirements of the Act, and with Chapter 16 of the National Planning Policy Framework.

Conclusion

12. For the reasons above, the appeal is dismissed.

O S Woodward
INSPECTOR