



Appeal Decisions

Site visit made on 15 January 2025

by **M Woodward BA (Hons) PgDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th January 2025

Appeal A Ref: APP/D3505/W/24/3344180

The Old Rectory, Church Street, Lavenham, Sudbury CO10 9SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Nick Storey against the decision of Babergh District Council.
 - The application Ref is DC/24/00743.
 - The development proposed is new stone portico to main entrance doorway to front elevation to replace timber pediment.
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Appeal B Ref: APP/D3505/Y/24/3344181

The Old Rectory, Church Street, Lavenham, Sudbury CO10 9SA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Nick Storey against the decision of Babergh District Council.
 - The application Ref is DC/24/00744.
 - The works proposed are new stone portico to main entrance doorway to front elevation to replace timber pediment.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal lies in the Lavenham Conservation Area and relates to a Grade II listed building and the setting of several other listed buildings, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are:
 - Whether the proposal would preserve a Grade II listed building, 'The Rectory, Church Street' (Ref: 1351479), and any of the features of special architectural or historic interest that it possesses, and the effect on several other listed buildings, with particular regard to their setting.
 - The extent to which the proposal would preserve or enhance the character or appearance of the Lavenham Conservation Area.

Reasons

5. According to the list description, the Old Rectory dates from the 18th century. A large, detached building of red brick and slate, it exhibits a symmetrical fenestration pattern comprising sash windows and a centrally positioned door hung within a traditional frame. These features contribute to the building's neo-classical style which is typical of buildings of this age and origin. Despite extensions and alterations to the building over time, including front facing roof dormers and replacement windows, the façade has retained a pleasing aesthetic and the alterations have not unduly eroded the listed building's overall appearance. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the appearance and legibility of its façade.
6. The appeal site lies in the Lavenham Conservation Area (CA) on the western approach to the village centre. In contrast with the timber-framed vernacular buildings tightly arranged around Lavenham's medieval core, buildings along this part of Church Street are generally arranged in a looser manner, set in more generous landscaped plots, exhibiting a variety of traditional materials and styles. Therefore, insofar as it relates to these appeals, it is the presence of well-preserved traditional buildings in spacious and verdant plots, which contributes to the significance of the CA.
7. There are several listed buildings within proximity of the appeal site, the most notable of which being the Grade I listed St Peter and St Paul's church, constructed in a late Gothic style, set in spacious grounds. Its historic landscaped setting contributes to the aesthetic and historic attributes of the church, and its position and status as a focal point of the village. Other nearby listed buildings are located to the east of the appeal site, fronting Church Street, and their respective landscaped surroundings frame these buildings, allowing them to be appreciated as important components of Lavenham's rich, historic townscape.
8. The proposal's distinctly classical design would be in keeping with the type of feature that adorned buildings of this age, and I have been provided with several examples of other Georgian rectories with front porticos¹. However, there is nothing to indicate that the Old Rectory included such a structure in the past. Instead, the building's door was crowned by a modest triangular pediment feature until its recent removal. Despite the missing pediment, the traditional wooden doorcase, panelled reveals and door are clearly legible, contributing to a façade which exhibits a polite yet restrained form of Georgian architecture. This is not diminished by repairs to the door and frame which have taken place in the past, nor the small light fittings on either side of the door frame. Whilst I accept that the building's listing description should not be taken as definitive evidence of the building's special interest, in my view the description's inclusion of the central panel door and doorcase coincides with their relative importance as historic features of the building in this case.
9. Moreover, even though the portico's open structure design would allow obtainable views of the door feature, it would be positioned in front of, and would project out from, the building in a manner that would compete visually with the door feature, thus obscuring part of the building's historic architectural interest. From a wider

¹ See appellant statement of case – appendix 2

perspective, owing to the portico's bulk, depth and style, it would introduce an element of grandeur which would draw the eye. As such, the proposal would distract from, and distort, the prevailing horizontal emphasis and restrained appearance of the building's largely planar façade, to the detriment of its historic architectural integrity.

10. Turning to the impact on the CA; the Old Rectory is set-back from the road and benefits from landscaping along the boundary frontage. Due to this, and the proposal's scale and significant set-back from the street, the building's imposing presence within its grounds would not be undermined by the proposal. Any views of the portico would not harm the CA, the significance of which derives from a wider spectrum of important historic characteristics and is not defined by this building alone. Therefore, I find no harm to the character or appearance of the CA.
11. The Grade I listed St Peter and St Paul's church is located off-set and on the opposite side of Church Street relative to the appeal site. For the reasons set out above relating to scale and intervening screening, and with the church being further away from the Old Rectory than Church Street, the proposal would be only intermittently visible from its grounds. Being at distance, the extension would be unobtrusive and would not diminish the appreciation of the church building or be detrimental to the peaceful church grounds which form part of its setting. In relation to the impact on the other nearby Grade II listed buildings along Church Street, the combination of angle, distance, landscaping and the scale of the proposal means that the setting of these buildings would not be harmed either. It follows, therefore, that the architectural and historic interest of all these buildings, having regard to their respective settings, would be preserved by the proposal.
12. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of the asset and that any such harm should have a clear and convincing justification. Given my findings above relating to the harmful effect of the proposed portico, I find that the proposal would fail to preserve the special interest of the listed building. I consider the harm to be at the lower end of less than substantial in this instance but nevertheless of considerable importance and weight.
13. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimal viable use of designated assets.
14. In this regard, I understand that the former timber pediment above the doorway suffered irreparable damage due to weathering which led to its eventual failure and removal. It is also put to me that the facing bricks behind the former pediment are in need of repair. However, any repairs to them or, indeed, any other part of the building are not dependent on the outcome of this appeal. Furthermore, at the time of my site visit, the inferior entrance steps referred to in the appellant's evidence had been replaced and handrails had been removed. Evidently, the removal or replacement of these features has not been dependent on the outcome of these appeals. Overall, these considerations carry limited weight.

15. Even if I was to accept the appellant's proposition that the portico would adequately protect the building from future weathering, there is no detailed analysis or other substantive evidence before me to indicate that it would be the optimal means of ensuring ongoing weather protection. Consequently, I am not persuaded that sustaining the significance of the asset, or its future viable use, would be dependent on the scheme when there may be more feasible and less obtrusive methods available.
16. Overall, if I was to consider all of the above as public benefits, along with the limited short-term employment benefits associated with the proposed construction works, and the removal of inferior modern materials from the building, the collective public benefits would be limited, and these public benefits would be insufficient to outweigh the harm that I have identified.
17. Therefore, and in the absence of sufficient public benefit, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building. It would fail to satisfy the requirements of the Act, the Framework and Policies LP03, LP19 and LP24 of the Babergh and Mid Suffolk Joint Local Plan 2023 (LP) and Policies D1 and D2 of the Lavenham Neighbourhood Plan 2016 (NP) which require, amongst other matters, that development is of high quality, is sympathetic and harmonious in terms of its scale, mass, form, siting and design and is sympathetic to, and safeguards, historic heritage assets.

Other Matters

18. The appellant refers to Policy LAV33 of the 'emerging replacement' Neighbourhood Plan, but I have been provided with limited details. In any event, it does not currently form part of the development plan and this matter carries limited weight, insufficient to outweigh the harm and overall conflict with the development plan I have identified and my duties under the Act.
19. The appellant refers to various Historic England guidance. Ultimately, I do not accept that the works could be accommodated within the limits of the building's special interest, and the public benefits are insufficient to justify the proposal.
20. Any issues relating to the planning application stage are matters between the main parties which have had no bearing on my determination of these appeals. Furthermore, biodiversity net gain issues referred to in the officer report do not form part of the Council's overall case and have not been material to my determination.

Conclusion

21. For the reasons given, the appeals are dismissed.

M Woodward

INSPECTOR