



Appeal Decision

Site visit made on 15 April 2025

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 April 2025

Appeal Ref: APP/D3505/D/24/3355853

Cygnat House, Swan Street, Boxford, Suffolk, CO10 5NZ

- 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 and Mrs A Renshaw against the decision of Babergh District Council.
 - The application Ref is DC/24/03130.
 - The development proposed is internal and external alterations and one and a half storey extension following demolition of single storey garage addition. Proposal includes for relocation of oil tank with inclusion of screening to improve accessibility. Additional works proposed to repair and repoint the existing street boundary wall.
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Decision

1. The appeal is allowed and planning permission is granted for internal and external alterations and one and a half storey extension following demolition of single storey garage addition. Proposal includes for relocation of oil tank with inclusion of screening to improve accessibility. Additional works proposed to repair and repoint the existing street boundary wall, at Cygnat House, Swan Street, Boxford, Suffolk, CO10 5NZ, in accordance with the terms of the application, Ref DC/24/03130, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers 5816 LP_01, 5816 PA_01A, 5816 PA_02A, 5816 PA_03A, 5816 PA_04A and 5816 PA_09A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those materials specified on the approved plans and within the Design and Access Statement submitted with the application.
 - 4) Prior to the commencement of any works to the boundary walls, a schedule of the repairs to be undertaken, including details of the proposed methods and materials to be used in undertaking the repairs, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
 - 5) The development shall be carried out in accordance with the recommendations set out in section 5 of the Bat Survey Report (MHE Consulting Ltd, July 2024) submitted with the planning application.

Main Issue

2. The main issue is the effect of the development on designated heritage assets, namely the setting of the adjacent Grade II listed buildings (Wynn House and Nos. 41, 43, 45 and 47 Swan Street) and the character or appearance of the Boxford Conservation Area (BCA).

Reasons

3. The site comprises a 1960s detached house, with a flat roof single garage linked to it by a covered passageway. The dwelling is constructed in brick, which is primarily painted white, with elements of white render and red brick. Red clay tiles cover the roof, and windows and doors have white UPVC frames. In front of the garage there is a gravel driveway and parking area, which is accessed from Swan Street. The dwelling is set back from the road with its principal elevation facing southeast onto a lawned garden, rather than facing the street. There are also garden areas to either side of the house, which is well screened by boundary walls and mature landscaping. The site slopes gradually upwards from the road and is also slightly higher than that of the dwellings to either side of it. Part of the garden area is sub-divided from the rest of the plot by a red brick crinkle-crinkle wall.
4. Despite requesting copies of all consultation responses, I have only been provided with copies of comments made by local residents. As such I have relied upon the summary of consultee comments provided in the Council's officer report. I have been provided with a plan showing part of the Boxford Conservation Area (BCA), although the heritage asset is the BCA as a whole. I have not been provided with a copy of any Conservation Area Appraisal, and the Council's officer report fails to identify the significance of any of the heritage assets it states would be affected by the proposal. Based upon the information before me, it is evident that the Council's concern is limited to the scale of the proposed extension, which it considers would in combination with the topography of the site dominate the host property and surrounding heritage assets. The Council considers the harm from the extension would cause a low or very low level of less than substantial harm to the undefined significance of the designated heritage assets.
5. Wynn House, which is located to the northwest of the site and is situated much closer to the road than the appeal property, is a C16/C17 (altered C18) timber framed and plastered building with a cross wing. It has a red clay tile roof, red brick chimney stacks, wooden sash windows and a wooden 6 panel pedimented front door. Its special interest and significance are derived from its age, traditional construction, materials and its architectural form and detail.
6. Numbers 41, 43-45 and 47 Swan Street, which are directly opposite the appeal site, comprise three separate two-storey dwellings, dating from the C18/C19. These are fronted in painted brick (41-45) and timber framed and plastered (47). They all have clay tile roofs, red brick chimney stacks, wooden sliding sash windows, and wooden front doors. They also all front directly onto the pavement. Their special interest and significance is derived from their age, traditional construction, materials and architectural form.
7. The BCA incorporates both the historic built core of the village and the adjoining undeveloped fields and paddocks that surround it. Its special interest and significance is derived from a wide and varied range of historic buildings constructed in traditional local materials and architectural styles, together with the

space and landscaping between and surrounding buildings, which positively contribute to its rural character and appearance.

8. The appeal property itself is of no special historic or architectural interest. Due to its position set back from the road, it is not visually prominent in the street scene, despite being on higher ground, and it does not compete with neighbouring properties. The old maps contained within the appellants Heritage Impact Statement confirm that the appeal property was constructed on land that previously formed part of the garden to Wynn House. The original boundary walls to Wynn House still remain in place on the appeal site and are of historic interest in terms of understanding that the site was formerly part of the grounds to Wynn House. However, these walls would be retained in situ and would be repaired and repointed, enhancing their appearance and improving their future stability and retention. The wall that separates Wynn House and the appeal site is a modern replica of the historic red brick crinkle-crankle wall that runs along the northeastern side of Wynn House and Cygnet House.
9. The proposal would result in the demolition of the existing single garage, which is sited close to the boundary of Wynn House, and the removal of the covered passageway between the house and garage. The new extension that would replace the garage and passageway would be offset from the boundary of Wynn House by approximately 1.1 metre, creating improved pedestrian access, which would allow for maintenance of the boundary wall and the appeal building.
10. Although the new extension would be longer than the garage and would wrap around the northeast side of the cross wing at ground floor level, it would only project very marginally beyond the front of the existing garage and beyond the existing northeast facing elevation of the main building. There would be a very small extension to the existing roof that runs parallel to the road, but the ridge height of the new gable roof running parallel to the boundary with Wynn House, would be set well below that of the existing dwelling and would slope away from the boundary. The ground floor boot room and kitchen extension would not be visible from anywhere outside of the site. The extension would be constructed in red brick, white render and red clay tiles to match the existing house. New composite windows would be installed in both the existing house and the extension to match throughout. The scale, design and materials of the proposed extension would therefore reflect and be compatible with the original dwelling.
11. Other proposed alterations include changes to the external windows and doors from UPVC to composite, including the addition of new openings and increasing the size of some existing openings, construction of a brise soleil at ground floor level to reduce overheating in the south facing living room, a relocated oil tank and associated means of enclosure, the removal of a poor quality tree, installation of bird and bat boxes and bees bricks, new planting, and repairs and repointing of historic boundary walls. No concerns have been raised by the Council in relation to any of these other elements. I have not been advised that an Article 4 Direction is in place, and consequently many of the proposed alterations, such as changing the colour and material of external windows and doors, could be undertaken without the need for planning permission.
12. Unlike the adjacent listed buildings, which all have their principal elevations closely fronting the road and are visually prominent in the street scene, the appeal property is set back from the road behind a brick wall and landscaping, and its

principal elevation is at a ninety-degree angle to the road. As such, it is not prominent in views along Swan Street. The proposed extension would be subservient to the existing dwelling and would not over dominate it. Given the large area of side garden retained between Wynn House and the appeal property, and given the garden land, planting and the road retained between the appeal property and the dwellings on the opposite side of Swan Street, the setting of these listed buildings would be preserved and not dominated by the proposal. The appeal property has a neutral effect on the BCA and does not contribute towards its heritage significance. The proposal would not alter this, and the extended dwelling would remain a neutral feature that preserves the character and appearance of the conservation area as a whole.

13. I therefore conclude that the proposal would preserve the setting of the nearby listed buildings and the character and appearance of the BCA. Accordingly, the proposal would accord with policies LP19 and LP24 of the Babergh and Mid Suffolk Joint Local Plan, Policies BOX7, BOX8 and BOX10 of the Boxford Neighbourhood Plan 2021-2037 and the National Planning Policy Framework. Collectively these policies seek to ensure that new development is of high-quality design and safeguards designated heritage assets. In reaching this view I have followed the statutory duties set out in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

14. In addition to the matters covered above, I note the concerns raised by residents living next door to and opposite the site. Whilst the extension would clearly be longer and higher than the garage it would replace, it would be offset from the boundary and lower than the existing dwelling. Any overshadowing would be limited to early morning and would not affect the neighbouring dwelling or any patio area directly outside of it. Moreover, there would be no habitable room windows facing the adjoining garden. Given the size of the neighbouring garden and the separation distance between the site and surrounding dwellings, I do not consider that the proposal would result in harm to the living conditions of occupiers of adjacent properties with regard to outlook, daylight, overshadowing or privacy.

Conditions

15. I have considered the lengthy list of conditions suggested by the Council in line with the relevant legal and policy tests. Conditions should only be imposed where they are, amongst other things, necessary to make the development acceptable in planning terms, or in other words, the development would need to be refused in the absence of that condition.
16. I have imposed the standard time limit condition and a condition listing the approved drawing numbers that the development must accord with for the avoidance of doubt. Conditions requiring the external materials to be those detailed in the approved plans and documents, and to agree details of the boundary wall repairs and materials, are necessary to safeguard the setting of nearby listed buildings and to preserve the character and appearance of the BCA. As the presence of protected species (Bats) using the roof space of the existing dwelling has been identified, it is necessary to ensure the development is undertaken in accordance with the recommendations set out in the Bat Survey Report.

17. Given the limited scale of the development, the generous size of the site and the separation distance to the nearest neighbouring dwellings, any disturbance caused by the demolition and construction phases of the development would be very limited and as such a condition to control construction is unnecessary. As householder developments are exempt from the requirement to provide biodiversity net gains, a condition requiring this would not be reasonable or necessary.

Conclusion

18. For the reasons given, above and having had regard to all matters raised, I conclude that the appeal should be allowed.

R Bartlett

INSPECTOR