

## **Committee Report**

**Item No:** 5

**Reference:** DC/19/01531

**Case Officer:** Harry Goodrich

**Ward:** South Cosford.

**Ward Member/s:** Cllr Leigh Jamieson.

---

## **RECOMMENDATION – REFUSE LISTED BUILDING CONSENT**

---

### **Description of Development**

Householder Planning Application - Erection of a single storey & two storey side extension.

### **Location**

The Old Rectory, Rectory Road, Whatfield, Ipswich Suffolk IP7 6QU

**Parish:** Whatfield

**Expiry Date:** 21/06/2019

**Application Type:** LBC – Listed Building Consent

**Development Type:** Listed Building Consent

**Applicant:** Mr & Mrs Mike & Jane Appleby

**Agent:** Embrace Architecture Ltd

---

## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

---

The application is referred to committee for the following reason/s:

The application has been called to the Planning Committee by the Cllr Leigh Jamieson, who is the ward member for the site of this application. The proposal has been considered by the Delegation Panel to present clear and significant policy and consistency considerations, with a decision on the application being of more than local significance.

### **Has a Committee Call In request been received from a Council Member?**

A Committee Call In request has been received by a member of the Council. The initial committee call in was made by Alan Ferguson, previous Ward Member for the site in question. This Call In was agreed by Cllr Leigh Jamieson, the current ward member for the South Cosford Ward.

### **Details of Pre-Application Advice**

None

---

## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

---

### **Summary of Policies**

NPPF - National Planning Policy Framework

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CN01 - Design Standards  
CN06 - Listed Buildings - Alteration/Ext/COU  
HS33 - Extensions to Existing Dwellings

## Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### SCC - Archaeological Service

No Objections subject to conditions.

No other consultations or neighbour representations have been received.

## PLANNING HISTORY

<b>REF:</b> DC/18/05476	Householder Application - Erection of single and two storey side extension	<b>DECISION:</b> WDN
<b>REF:</b> DC/18/05477	Application for Listed Building Consent - Erection of single and two storey side extension following demolition of part	<b>DECISION:</b> WDN
<b>REF:</b> B/0131/75/FUL	Double garage to house cars, 4 sheds for general storage, as amended by letter received on 4th April 1975	<b>DECISION:</b> GRA

---

## PART THREE – ASSESSMENT OF APPLICATION

---

### 1.0 The Site and Surroundings

- 1.1 The application site comprises of a detached dwelling located away from the built-up area of Whatfield. The site is described as being a timber-framed and rendered house, likely originating in the 14<sup>th</sup> or 15<sup>th</sup> Century. However, it is considered that the site was rebuilt in the mid-17<sup>th</sup> century and subsequently extended and altered. The site has no immediate neighbouring properties, with the closest neighbouring properties located further down Rectory Lane to the east of the site.
- 1.2 To the north of the site is an existing stable block and stable yard. This building forms part of the applicant's land. The application site however has an existing moat located around the site, separating the host dwelling and the stable block. The site is well screened from the public highway due the existing landscaping. A hard-surfaced driveway is in place to provide access and egress from the site, with parking being provided to the West of the property.
- 1.3 The site lies within the settlement boundary of the village. The application site is also classified as a Grade II listed building.

## **2.0 The Proposal**

- 2.1 The application seeks Planning and Listed Building Consent for the erection of a single storey and two storey extensions on the Western side of the property. A full application (ref: DC/19/01530) is also before Members at this committee.
- 2.2 The proposal involves the construction of an extension to provide additional living space for the property. This follows the demolition of an existing section of the host property. The proposal consists a two-storey extension and a single storey extension. These extensions provide space on the ground floor for a kitchen/dining area, a seating area and a laundry room. The first floor of the extensions provide space for a master bedroom and an en-suite.
- 2.3 The materials to be used in the proposal are detailed within the application form and are stated to include the walls being constructed using materials that are to match existing and ensure the materials are suitable within the locality.

## **3.0 Listed Buildings**

- 3.1 The application site is classed as a Grade II Listed Building and is, therefore, a designated Heritage Asset.
- 3.2 The way in which proposals are dealt with involving listed buildings, where extensions are proposed, requires two separate types of application (Planning and Listed Building) and draws on two different pieces of legislation (Town and Country Planning Act 1990 [as amended] and the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.3 The latter deals with heritage matters only (i.e. not residential amenity, highway safety, ecology and so on), the former deals with non-heritage matters, but does also overlap into heritage considerations such as the proposed built form in the same way it would with a non-heritage application.
- 3.4 There is, therefore, some overlap between the householder report and matters dealt with in this Listed Building report. But matters dealt with here are purely heritage-based.
- 3.5 Paragraph 196 of the National Planning Policy Framework (2019) states that: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.
- 3.6 Section 16 of the Planning (Listed Building and Conservation Areas Act) (1990) states that;
  - (1) Subject to the previous provisions of this Part, the local planning authority or, as the case may be, the Secretary of State may grant or refuse an application for listed building consent and, if they grant consent, may grant it subject to conditions.

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

(3) Any listed building consent shall (except in so far as it otherwise provides) enure for the benefit of the building and of all persons for the time being interested in it.

3.7 Local Plan Policy CN06 states that proposals for the alteration (including part demolition), extension or change of use of buildings of Special Architectural or Historic Interest (including curtilage structures), or for the sub-division of, or new work within the curtilage or setting of a listed building should in this case;

(1) preserve the historic fabric of the building, and ensure that all proposals to remove by demolition, or alter any part of the building are justified in terms of preserving the special character of the building and will cause the minimum possible impact;

(2) retain all elements, components, and features which form part of the building's special interest and respect the original scale, form, design and purpose of the architectural unit;

(3) not conceal features of importance or special interest;

(4) be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting;

(5) retain a curtilage area and/or setting which is appropriate to the listed building and the relationship with its surroundings;

(6) include fenestration which respects the character of the building;

(7) use materials and components which are natural or handmade, and which complement or harmonise with those on the building and the area. This will include lime plasters and lime mortars; natural clay or slate roofs; bricks; handmade timber windows and doors;

(8) use appropriate detailing, finishes, and colours, both internally and externally;

(9) respect those features which contribute positively to the setting of a listed building, including space, views from and to the listed building and historic layout; and

3.8 The Council's Heritage Team has previously commented on a similar scheme at this site under reference DC/18/05477. The Council's Heritage Team considered that the previous scheme would cause a high level of less than substantial harm to the significance of the listed building. The re-submission of this scheme includes a Heritage Impact Assessment and a few minor changes to the proposed extension.

- 3.9 The Council's Heritage Officers have assessed the application proposal and consider the proposal would result in a high level of less than substantial harm to a designated heritage asset because the proposal would include the demolition of two historic wings.
- 3.10 The Council's Heritage Team considers that the potential for The Old Rectory to contribute to the understanding of the past is significant, partly because evidential value derives from the remains inherited from the past. Note should be made that 'the ability to interpret the evidence tends to be diminished in proportion to the extent of its removal or replacement'.
- 3.11 Paragraph 194 of the National Planning Policy Framework (2019) states that: "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) Grade II listed buildings, or Grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, Grade I and II\* listed buildings, Grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional"
- 3.12 The Council's Heritage Team consider that the structural movement which is visible may be decades old and is not considered to be 'clear and convincing justification' (NPPF Para 194) for the demolition.
- 3.13 Furthermore given that the proposal would result in a high level of less than substantial harm to a designated heritage asset because the proposal would include the demolition of two historic wings there should be public benefit to outweigh the harm. Given that the proposal would result in a high level of harm but proposes an extension to a residential dwelling which would not offer public benefits it is considered that the proposal would not include public benefits to outweigh the harm as required by paragraph 196.
- 3.14 In conclusion, the application does not meet the requirements of Section 16 of the Planning (Listed Building and Conservation Areas Act) (1990), nor the policies set out within the NPPF or the Local Plan. It is this reason therefore that the proposal has been recommended for refusal.

---

## **PART FOUR – CONCLUSION**

---

### **4.0 Planning Balance and Conclusion**

- 4.1 The National Planning Policy Framework details that any works to listed building that present a level of harm to a designated heritage asset, must provide public benefits that outweigh the harm caused by the proposal. It is considered that there are no public benefits from this proposal to outweigh the harm, contrary to paragraph 196 of the NPPF.

4.2 The application proposal is, therefore, considered to cause a level of harm to a designated heritage asset that cannot be justified through its public benefits, and without clear and convincing justification, contrary to Section 16 of the Planning (Listed Building and Conservation Areas Act) (1990) and the policies set out within the NPPF and the Local Plan.

## **RECOMMENDATION**

That authority be delegated to the Acting Chief Planning Officer to refuse householder planning permission for the following reason:

The proposed two story and single storey extensions proposed on the western elevation of The Old Rectory, following the demolition of two storey wing and a single storey wing are considered to be detrimental to the character, appearance and setting of the Grade II designated Heritage Asset. The proposed demolition of the two historic wings which contribute notably to the understanding of the evolution of the building, would not preserve the designated heritage asset. The harm which would result to the listed building significantly outweighs any public benefits that may be afforded to the proposal and there is not clear or convincing justification for this harm, which should only be allowed in exceptional circumstances. The application, therefore, does not meet the requirements of Section 16 P(LBCA)A 1990, paragraph 194 and 196 of the NPPF and Policy CN06 of the Babergh Local Plan (2006).