



Appeal Decision

Site visit made on 16 January 2024

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024

Appeal Ref: APP/E3335/D/23/3320923

Pin Lane Cottage, Crockers Hill, Yarlinton, Wincanton, Somerset BA9 8DJ

- 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 Steve James against the decision of South Somerset District Council.
 - The application Ref 22/03090/HOU, dated 29 November 2022, was refused by notice dated 9 January 2023.
 - The development proposed is the removal of the existing modern living room extension and replacement with a larger oak framed single storey extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Pin Lane Cottage is a Grade II listed building (List Entry Number: 1366382). In making my determination I have borne in mind my statutory duty in respect of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The appeal relates to a planning application and there is no corresponding application for listed building consent before me.
3. Since the planning decision was made, South Somerset District Council (SSDC) ceased, and the administrative area became part of Somerset Council. Nevertheless, the application was submitted to SSDC and it was the local planning authority (LPA) that made the decision. Hence, I have referred to SSDC in my heading above. The development plan for the former district remains the South Somerset Local Plan 2006-2028, March 2015 (LP).
4. The National Planning Policy Framework (the Framework) was revised on 19 December 2023 and is a material consideration in planning decisions. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes albeit that the numbering of paragraphs has changed. Hence, I am satisfied that no one would be prejudiced by this change to the national policy context.

Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the area, and in particular the Grade II listed Pin Lane Cottage, its setting or any features of special architectural or historic interest it possesses; and archaeology.

Reasons

Character and appearance and listed building

6. The Grade II listed building is a detached traditional two-storey cottage dating from around 1800 which is positioned end on to the adjacent lane. It is constructed in Cary stone rubble with a thatched roof. Although there are single storey extensions to the side and rear, they are obviously subservient, and the narrow rectangular footprint and resultant form of the two-storey building is clearly discernible. The central thatched porch hood, regular placement of casement windows and brick chimney stacks at either end gives the principal elevation an attractive balance and charm.
7. The significance and special interest of the listed building is derived, in part, from its surviving historic fabric, plan form and aesthetic architectural qualities. The relatively simple form, use of traditional materials, modest scale and restrained architectural detailing signal the likely historical modest status of the cottage. Further significance is derived from the spacious grounds and wider rural landscape setting within which the dwelling sits. These possess a strong countryside character owing to the prevalence of fields, hedgerows, trees and informal narrow lane. The relationship of built form, garden and wider landscape roots the building firmly in its rural context.
8. In combination these factors mean the listed building makes a valuable aesthetic contribution that enriches the rural character and appearance of the area. This can be readily appreciated from Crockers Hill.
9. The proposed development would remove a modern single storey side extension on the south side of the building and replace it with a larger T shaped single storey addition. The T shaped footprint would be at odds with the simple rectangular footprint of the main two storey part of the building. In turn, the resultant roof shape would involve two hipped projections with a ridge running perpendicular to that of the main cottage. Even at single storey level, this would add a complexity of form that would appear incongruous with the linear simplicity of the listed building, thereby undermining a quality intrinsic to its significance.
10. Furthermore, the extent of the side projection would be roughly equivalent to the width of the principal elevation of the two-storey component. As such, the scale of the addition would be harmfully disproportionate to the modest size of the cottage. In addition, owing to the T shaped footprint, the structure would protrude further forward and backward than the respective front and rear facades of the main dwelling, thereby giving it an undue prominence.
11. Consequently, the massing of the proposed extension would be so sizeable as to visually compete with the main dwelling. Rather than appearing subordinate, it would distract from the simple aesthetic qualities of the historic building. The effect would be particularly obvious when looking at the front elevation and would undermine its present visual balance. Considering the volume already added by other extensions at the listed building, the cumulative impact would overwhelm its modest, traditional scale and proportions.
12. Moreover, unlike the existing smaller side extension, the dimensions and height of the proposal would interfere with an existing casement window on the upper floor of the southern elevation. As such, the development would weaken the appearance of the southern elevation and an existing traditional feature that forms part of its architectural significance.

13. The appellant contends that the proposal reflects the building's agricultural heritage as, drawing upon the Yarlington tithe map of 1841, he understands it to have once been a row of three farm workers dwellings. Even if I were to accept that a third cottage had been demolished as is asserted, there is very little evidence to show that the scale and form of the proposal resembles that of a former historical structure.
14. In any event, the estimated outline of the 'third cottage' shown on drawing number 0206.05B indicates a continuation of the simple rectangular footprint of the main dwelling. In contrast, the proposed extension would have an atypical T shaped footprint and be significantly longer and wider than the estimate provided. Accordingly, I am not persuaded that this represents a sound justification for the appeal proposal, and it carries little favourable weight.
15. Reference is made to the extension being constructed by local craftsmen in high quality materials, including oak and the extensive use of glass. However, I am not convinced these factors would surmount the more fundamental concerns regarding scale and form that I have identified.
16. Consequently, the proposal would have an unsympathetic and discordant effect on the listed building which would fail to preserve its special interest. Conflict would therefore arise with the expectations of section 66(1) of the Act.
17. In terms of the Framework, it follows that the proposal would cause harm to the significance of the listed building, which is a designated heritage asset. Given the modest nature of the proposal, the degree of harm would be less than substantial. Paragraph 208 of the Framework states that this harm should be weighed against the public benefits of the proposal.
18. The development would result in additional living accommodation space and facilities at ground floor level. Consequent economic benefits during construction and increased investment into the fabric of the listed building represent public benefits. Some environmental benefits may also ensue from the associated construction methods in terms of insulation and heating efficiency. However, I am not convinced that similar advantages could not be realised by other less harmful approaches, which tempers the weight given to this factor. Overall, owing to the minor scale of the scheme, the cumulative weight of such public benefits would be very modest.
19. Balanced against this is the great weight¹ carried by the less than substantial harm to the listed building. Hence, I find that the sum of public benefits would not be sufficient to outweigh the less than substantial harm to the significance of the designated heritage asset. Conflict therefore arises with the historic environment protection policies within the Framework.
20. Accordingly, the proposal would be harmful to the character and appearance of the area, and in particular the heritage significance of Pin Lane Cottage. Therefore, I further find that there would be conflict with policies EQ2 and EQ3 of the LP, insofar as these require proposals to achieve a high quality of design which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district; and seeks to conserve, and where appropriate enhance heritage assets.

¹ Paragraph 205, National Planning Policy Framework

Archaeology

21. Paragraph 200 of the Framework stipulates that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
22. The second reason for refusal on the LPA's decision notice refers to insufficient information being submitted to establish the existence of a former third cottage at the appeal site. Essentially, this pertains to a lack of justification for grounds advanced by the appellant in support of matters already considered as part of the first main issue.
23. More significantly, the LPA has not suggested that the site constitutes a heritage asset with archaeological interest, nor does it indicate any conflict with development plan policy in relation to this matter. As such, it does not identify any specific harm to archaeology likely to arise from the proposal.
24. Furthermore, the proposed extension would to some degree utilise the footprint of an existing extension to the south. Hence, ground disturbance in this area has already occurred. Consequently, the balance of evidence before me does not suggest that it is probable that the appeal site possesses notable archaeological interest likely to be affected by the proposal. This is reinforced by the comments of the South West Heritage Trust who consider there are limited or no archaeological implications to the proposal.
25. Therefore, in the absence of compelling evidence to show otherwise, I am satisfied that the proposal would avoid harm to archaeology. Hence, it is not shown that the development would conflict with the requirements of paragraph 200 of the Framework.

Other Matters

26. The appellant highlights that changes were made to the proposal following pre-application advice in that one of the proposed rooms was omitted. Be that as it may, I have determined the appeal scheme before me on its planning merits. Further concerns are raised regarding the site visit made by the LPA's Conservation Officer. However, this is not a matter that lies within the scope of my determination.

Conclusion

27. Notwithstanding my finding on the second main issue, I have found that the development would conflict with the statutory provisions set out in the Act; the historic environment policies within the Framework; as well as the heritage and design policies in the development plan. There are not wider public benefits sufficient to outweigh the harms identified. Moreover, material considerations do not indicate I should make a decision other than in accordance with the development plan. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

Helen O'Connor

INSPECTOR