
Appeal Decisions

Site visit made on 5 September 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2016

Appeal A: APP/A2470/W/16/3149808

Home Farm, 9 Chapel Street, Belton in Rutland, Rutland LE15 9JT

- 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 & Mrs Steven Hill against the decision of Rutland Council.
 - The application Ref 2016/0063/FUL, dated 15 January 2016, was refused by notice dated 7 March 2016.
 - The development proposed is the construction of first floor extension over existing ground floor extension to create additional bedroom and en-suite bathroom (revised proposals).
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Appeal B: APP/A2470/Y/16/3149813

Home Farm, 9 Chapel Street, Belton in Rutland, Rutland LE15 9JT

- 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 & Mrs Steven Hill against the decision of Rutland Council.
 - The application Ref 2016/0064/LBA, dated 15 January 2016, was refused by notice dated 7 March 2016.
 - The works proposed are the construction of first floor extension over existing ground floor extension to create additional bedroom and en-suite bathroom (revised proposals).
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Decision

1. Appeal A is allowed and planning permission is granted for the construction of first floor extension over existing ground floor extension to create additional bedroom and en-suite bathroom (revised proposals) at Home Farm, 9 Chapel Street, Belton in Rutland, Rutland LE15 9JT in accordance with the terms of the application, Ref 2016/0063/FUL, dated 15 January 2016, subject to the conditions set out at the end of my decision.
2. Appeal B is allowed and listed building consent is granted for the construction of first floor extension over existing ground floor extension to create additional bedroom and en-suite bathroom (revised proposals) at Home Farm, 9 Chapel Street, Belton in Rutland, Rutland LE15 9JT in accordance with the terms of the application Ref 2016/0064/LBA dated 15 January 2016, subject to the conditions set out at the end of my decision.

Main Issue

3. The main issue in both appeals is whether the proposed extension would preserve the special architectural and historical interest of the Grade II listed building.
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Reasons

4. Home Farm is a late 18th century farmhouse located in the heart of the attractive village of Belton in Rutland. The property occupies a prominent position within the settlement, and is set back and at a higher level than the road. The house is constructed in coursed rubble with a welsh slate roof and is 2 storeys high. The original property had a 3 unit plan, mentioned in the listing, and a two storey extension has been added to the rear. This extension is located towards the northern end of the building. A further single storey extension with lean to roof has also been constructed to the rear, to the south of the two storey extension. Both extensions are in brick with welsh slate roofs.
5. Previous consents were allowed in 2013 for a similar scheme¹. The current proposals differ in that the scheme has a higher pitched roof ridge, effectively to allow for more headroom to allow an en-suite bathroom to be created. This has also resulted in the roof ridge appearing offset slightly to the north. The appellant notes that the proposed ridge is 550mm higher than that approved and 650mm closer to the gable of the 2 storey rear extension. The other alterations relate to the access to the extension, which would previously have been accessed by a new opening in the rear elevation of the original dwelling, but now would utilise an existing narrow opening in the form of a window, which would need to be extended.
6. The Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires special interest to be given to the desirability of preserving a listed building and any features or architectural interest it possesses. The National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation, and that significance can be harmed or lost through alteration of a heritage asset. The significance of the Farmhouse is, I consider, derived from the form of the original building, the quality of its materials and its prominence and setting within the village.
7. In 2011 the Rutland Local Development Framework Core Strategy (the CS) was adopted. Policies 19 and 22 of this Plan state that all new development will be expected to contribute positively to local distinctiveness, be appropriate and sympathetic to its setting in terms of scale, height and appearance, and that the quality and character of the historic environment of Rutland will be conserved and enhanced, with particular protection given to listed buildings and Conservations Areas. Policies 15 and 20 of the Rutland Local Plan Site Allocations & Policies Development Plan Document, 2014 (the SADP) together state that all development shall be expected to meet the requirements for good design, including in terms of siting, layout, relationship to surroundings, and density, scale, form and massing, protecting and where possible enhancing historic assets. Extensions to listed buildings should retain the original structure and features that contribute to the significance of the asset.
8. The proposal would not extend the footprint of the building, as the existing ground floor extension will remain the same size. Despite the increased height of the roof ridge of some 0.5m over the approved scheme, the proposal will remain significantly lower than the principal roof ridge of the main dwelling, and will also be lower than the two storey extension to the north, and will thus

¹ 2013/0280/FUL, 2013/0279/LBA

be subordinate to both the extension and to the original building. The existing two storey extension is already significant in size terms and I do not consider that the proposed first floor extension in its scale and size would cumulatively dominate the original Farmhouse over and above that already caused by the existing two storey and single storey extensions.

9. Concerns are raised over the design of the proposal, particularly regarding the offset roof ridge. Whilst I note these concerns, I do not consider that the design of the proposal would be visually unbalanced or detrimental to the listed building. The setting in of the ridge towards the existing extension helps to underline its sub ordinance towards the listed building and would not appear out of place. Furthermore, whilst the proposal would still result in the loss of some historic fabric via the extension of the existing window opening, less historic fabric and original structure would be lost than would be the case under the permitted scheme. I do not consider therefore that the proposal would cause harm to the significance of the listed building.
10. As the site lies within the Belton in Rutland Conservation Area (BRCA), I am required to pay special attention to the desirability of preserving or enhancing the character and appearance of the area, in accordance with Section 72(1) of the Act. However, in this case, as the proposal is confined to the rear of the building, and for the same reasons as above I consider that the scheme would preserve the character and appearance of the BRCA.
11. I therefore conclude that the proposed extension would preserve the special architectural and historical interest of the Grade II listed building. The proposal would also preserve the character of the Belton in Rutland Conservation Area. The scheme would comply with the Framework, Policies 19 and 22 of the CS, and 15 and 20 of the SADP.

Other Matters

12. The Ecology officer of the Council considers that the proposal had the potential to affect bats, which could be roosting in the roofspace. The Council's delegated report noted this but stated that surveys were not requested as the proposal was not acceptable. No mention of ecology has been made in the Council's statement; nor have conditions been requested in the event of an approval. I have considered this matter carefully. However, I noted on my site visit that the upper floor of the Farmhouse is set into the eaves of the building and therefore there is a significant amount of 'roof' space which already forms living accommodation. The ridge of the proposal is set a fair distance below the ridge of the original building, and given this I consider it unlikely that protected species would be disturbed by the proposed works. Furthermore, I note that the existing consents contain no conditions concerning ecological matters.

Conditions

13. I have imposed the standard conditions relating to time for implementation and requiring compliance with plans on both decisions, in the interests of the proper planning of the area and for the avoidance of doubt.
14. I have also imposed a condition on Appeal B requiring the facing materials and the roof tiles of the proposal to be agreed with the Local Planning Authority

prior to construction, in the interests of the special architectural and historic interest of the listed building.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeals should be allowed.

Jon Hockley

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2096-02-701, 2096-02-100, 2096-02-200, 2096-02-400, 2096-02-700.

Appeal B

- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
- 2) The works hereby authorised shall be carried out in accordance with the following approved plans: 2096-02-701, 2096-02-100, 2096-02-200, 2096-02-400, 2096-02-700.
- 3) No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed in writing by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.