
Appeal Decision

Site visit made on 6 September 2016

by Julia Gregory BSc (Hons), BTP, MRTPI, MCMI

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

Decision date: 28 September 2016

Appeal Ref: APP/A2470/W/16/3152539

Land opposite 2 Blacksmiths Lane, Exton, Rutland LE15 8AJ

- 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 Hereward Homes Limited against the decision of Rutland Council.
 - The application Ref 2015/1114/FUL, dated 11 December 2015, was refused by notice dated 12 February 2016.
 - The development proposed is construction of a 3 bedroom detached house with integral garage.
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Preliminary matter

1. As part of the appeal the appellant submitted revised plans showing the dwelling differently sited and with a different design, ref EX-002B and 2015/41-3B. These plans are significantly different to the application plans and therefore it would cause unfairness to determine the appeal on that basis. I have determined the appeal on the basis of the application plans EX-001AEX-002A and 2015/41-3A.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the Exton Conservation Area.

Reasons

4. The dwelling would be located on garden land which is currently overgrown facing Blacksmiths Lane. To the front of the site there is a grassed verge. To the side there is a gravel track. There is no Conservation Area appraisal submitted for Exton, but it is characterised by stone cottages, some of modest proportions, with Collyweston slate or thatched roofs. There is little built development that is prominent on this side of Blacksmiths Lane on approach from the junction with Stamford Road.
 5. Blacksmiths Lane lies within the core of the Conservation Area and this short lane is characterised by a row of modest terraced cottages constructed of stone with Collyweston slate roofs and traditional dormer style windows within the roof. 2, 4, 8 and 10 Blacksmiths Lane are Grade II listed buildings. To the front of these cottages is a verge planted with garden flowers. No 13 to the rear of the site is also a Grade II listed building.
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6. Much of the character and appearance of Exton is obtained from the traditional building styles, with the fine details of the design such as how the fenestration is incorporated at first floor and in the roof, the position of rainwater goods, the incorporation of chimneys, the treatment of lintols, and the materials used in construction.
7. The dwelling would be sited facing No 2 and also Campion Cottage which is a modern detached dwelling of which there are few in the conservation area, and which are not a template for further deviation from traditional detailing since they are uncharacteristic of the traditional detailing that predominates.
8. The stonework fine details could be subject to control by condition but the application states that the roof would be red pantiles which in a Lane dominated by stone slates would not respect the local character. The catslide first floor windows cutting through the eaves would not respect those in the street scene or traditional to the village. Also, the brick arched lintols, absence of chimneys and prominent downpipes on the front elevation all compound the distinctiveness of the dwelling.
9. This would all make the dwelling, which would be open to view together with the traditional cottages, stand out rather than demonstrating an understanding of the significance of the conservation area or the setting of the listed buildings. It would therefore be contrary to policy SP20 of the Rutland Local Plan Site Allocations and Policies Development Plan Document. This policy also specifies that development will only be acceptable where the scale, form, siting and design and materials would preserve or enhance the character or appearance of the area.
10. Given the context of the building would be in close proximity to traditional listed buildings within the Conservation Area from which it derives much of its character, the building would have an adverse effect on their immediate setting. It is also contrary to Policy CS22 of the Rutland Core Strategy which identifies that the quality and character of the built and historic environment of Rutland will be conserved and enhanced.
11. Whilst the harm to the conservation area would be less than substantial because the development occupies a small plot within the conservation area, the National Planning Policy Framework (the Framework) identifies that great weight should be given to the assets conservation. Paragraph 134 specifies that in such circumstances less than substantial harm should be weighed against the public benefits of the proposal.
12. A new three bedroom dwelling would be created which could be occupied by a family and would add to the housing stock within the core of the village to some social benefit. There would be economic benefits derived from the construction, albeit short term and limited. These are all public benefits to which I attribute some weight but they do not outweigh the harm to the conservation area that I have already identified.
13. I conclude that the development would fail to preserve or enhance the character or appearance of the Exton Conservation Area which would be contrary to the Development Plan and the Framework.

Other matters

14. The appellant is aggrieved at the Council's determination of the application and its implications for payment of CIL contributions. This is a matter of local government accountability and not an issue that has a bearing on the planning merits of the decision.
15. Neighbouring residents have raised concerns about other matters. These include about parking and traffic but I note that there is no evidence of significant parking difficulties locally and construction activity would be limited in duration. Although part of the grass verge would be crossed by a new access this loss of verge would not be so substantial as to have an adverse effect on the character or appearance of the area. There is no evidence to suggest harm to ecological matters.

Conclusion

16. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Julia Gregory

INSPECTOR