
Appeal Decision

Site visit made on 30 August 2016

by Jonathan Price BA(Hons) DipTP MRTPI DMS

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

Decision date: 30 September 2016

Appeal Ref: APP/A2470/W/16/3150266

Normanton Gardens, Normanton Park Road, Normanton, Rutland LE15 8RP

- 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 and Mrs Grimoldby against the decision of Rutland County Council.
 - The application Ref 2016/0130/FUL, dated 3 January 2016, was refused by notice dated 12 April 2016.
 - The development proposed is creation of new stand-alone single storey 2 bedroom cottage to provide as holiday let.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal, in terms of its location, design and materials, on the setting of the adjacent Grade II listed building.

Reasons

3. The holiday cottage would be close to and adjacent the north-western side of the grade II listed former stable block to the long-demolished Normanton Park House. This listed building, situated on the south shore of Rutland Water, is now occupied as a hotel. A timber fence surrounds the appeal site which is in use for the storage of materials and largely overgrown by vegetation.
 4. The listed building, as befitting a structure which once formed part of an historic rural estate, has a spacious setting with open views from the expansive lawned areas to the north-east. Whilst these views might largely be from private vantage points they are nonetheless significant to the appreciation of this imposing, early nineteenth century estate building. Although the existing fenced storage area already detracts harmfully from this setting this would be a more readily reversible feature than the more permanent building proposed.
 5. Although standing alone and not affecting the fabric of the hotel, and occupying a space adjacent and partly screened by a rather unsympathetic addition to its north-west side, the cottage would still have a significant effect on the open setting of this listed building. Whilst of a relatively modest-scale, and at a height lower than the eaves of the adjacent hotel, the cottage would not be insubstantial in scale and its impact on the setting of the listed building would not be inconsequential.
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6. Whilst proposed to be built of reasonably good quality locally-appropriate materials these would not match the listed building. It is appreciated that the design of the cottage is intended to be contrastingly modern. However, the introduction of this new building, directly adjacent to the hotel and of a design and materials that pay little regard to its historic character, would detract from the significance of this listed building which derives in part from its open setting and the views of a principal elevation from the lawned gardens.
7. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in determining this appeal special regard shall be given the desirability of preserving the setting of this listed building. Although the proposed cottage would be subservient in scale it would be sited directly adjacent to a part of the main north-east elevation of this listed building and be substantial enough to obscure significant views of this. Consequently, this development would harm the setting of the listed building.
8. The harm caused by this proposal to the setting of this listed building would lead to less than substantial harm to its significance. Paragraph 134 of the National Planning Policy Framework (the Framework) requires that where a development proposal will lead to less substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
9. The proposal would meet a demand for tourist accommodation, particularly that suitable for disabled visitors, associated with the attractions offered at Rutland Water, such as fishing, sailing and cycling. However, these would mainly be private, commercial benefits and would not outweigh the harm found to the setting of the listed building which, whilst less than substantial, should be given considerable importance and weight.
10. The appellant seek supports from Policy CS24 of the Core Strategy¹, which relates to Rutland Water. However, this policy restricts new development to a scale, form and design appropriate to its location and this proposal should be judged in the context of this and the other policies in the development plan. Due to the harm caused to the setting of the listed building the cottage proposed would be contrary to Policy CS22 of the Core Strategy and to Policy SP20 of the Site Allocations and Policies Development Plan Document². These policies concern the historic environment and seek to protect the character of listed buildings and their settings where proposals would have an impact.

Conclusion

11. This proposal would be contrary to the statutory duty to give special regard to the desirability of preserving the setting of this listed building. It would consequently conflict with the aforementioned development plan policies and to those in the Framework in regard to conserving and enhancing the historic environment. Therefore, having taken into account all other matters raised, I conclude this appeal should be dismissed.

Jonathan Price

INSPECTOR

¹ Rutland Local Development Framework Core Strategy Development Plan Document – adopted July 2011

² Rutland Local Plan Site Allocations and Policies Development Plan Document – adopted October 2014