
Appeal Decision

Site visit made on 15 August 2016

by J E Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC

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

Decision date: 13 January 2017

Appeal Ref: APP/D0121/D/16/3152223

Walnut Barn, 48 Church Lane, Hutton, North Somerset BS24 9SN

- 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 Mark Orchard against the decision of North Somerset Council.
 - The application Ref 16/P/0123/F, dated 10 December 2015, was refused by notice dated 15 April 2016.
 - The development proposed is the erection of a two storey extension to south elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey extension to south elevation at Walnut Barn, 48 Church Lane, Hutton, North Somerset BS24 9SN in accordance with the terms of the application, Ref 16/P/1023/F, dated 10 December 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2367/P/01.
 - 3) Prior to the construction of any of the external faces of the proposed development details of the roofing tiles, cedar cladding and door and window frames including finishes shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details thereby approved.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no alterations shall be made to the roof of the extension hereby permitted and no windows shall be constructed other than those expressly authorised by this permission.

Preliminary Matters

2. The description of development is taken from the Council's decision notice and is the description used by the appellant on the appeal documentation.
 3. The Council adopted the Sites and Policies Plan Part 1: Development Management Policies Development Plan Document ("DPD") on 19 July 2016. The DPD replaces policies referred to in the Council's reasons for refusing the appeal proposal. The appellant has commented on the revised development
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position. I have determined this appeal in the context of the up to date development plan position.

Main Issues

4. These are: (i) the effect of the proposed extension on the character and appearance of the host building; (ii) the effect of the proposal on the character and appearance of the area having particular regard to the site's location in relation to the Hutton Conservation Area; and (iii) whether the proposal would preserve the setting of listed buildings.

Reasons

Effect on the character and appearance of the host building

5. The appeal property is a former barn of stone construction with a simple linear form and which retains much of its agricultural character. Window and door openings are limited with a large ratio of solid wall to openings, reflecting the building's former purpose.
6. The proposed extension would be located on the south side the building, creating an L-shaped dwelling. The extension would have a clean and simple form, avoiding overtly domestic detailing and so paying due regard to the origins and character of the existing building. No openings are proposed in the south elevation; other openings would reflect the form and proportions of the openings in the existing building. Although the scale of the extension would be significant, it would have a footprint markedly less than that of the existing dwelling. The ridgeline of the extension would be set slightly below the ridgeline of the existing building and the resulting scale of the extension would not be disproportionate. The use of timber cladding as an external walling material for the extension would distinguish it from the original building but, subject to detailed control over any finish, would be an appropriate material in this location. Whilst the extension would alter the simple linear form of the existing building, the extension would not appear out of keeping with it and the extended dwelling would retain a strong agricultural character.
7. Overall the proposal would not unacceptably harm the character and appearance of the host building and would therefore comply with Core Strategy¹ ("CS") Policy CS12 with regard to the quality of the design. Policy DM32 of the DPD is also concerned with achieving high quality of design and includes reference to supplementary planning documents where relevant. The Council has an adopted Residential Design Guide² relating to house extensions and alterations and, whilst this is referred to in the evidence, attention is not drawn to any specific element of the guidance. For the reasons I have set out above, I am satisfied that there would be no conflict with DPD Policy DM32. I am satisfied that the proposal would not conflict with DPD Policy DM38 as it would respect the existing property and adequate amenity space would be retained.
8. Policy DM 45 relates to the conversion of redundant rural buildings to residential use. Whilst the appeal building is already in residential use, the second bullet point of the policy refers to subsequent extensions. As I have

¹ North Somerset Council Core Strategy Adopted April 2012

² Residential Design Guide Section 2: Appearance and character of house extensions and alterations (adopted April 2014).

found the extension would not be disproportionate and would respect the scale and character of the building and its setting, there would be no material conflict with this policy.

Effect on character and appearance of the area

9. The plan supplied by the Council which defines the conservation area indicates that the existing building lies within the designated Hutton Conservation Area. The boundary is drawn along the existing southern elevation such that the majority of the proposed extension would be outside the conservation area. I am not provided with any formal appraisal of the conservation area. The Council refer to a group of traditional buildings being clustered around Hutton Court and the Church. Of the other buildings in the group of existing and former farm buildings I note that some lie within and some outside the designated conservation area.
10. The effect of the proposal on public views of the conservation area and its setting would be very limited, given the position of the proposed extension. Upper parts of the extension would be visible from the track on the north side of the existing dwelling. The proposal would not harm the character or appearance of the existing building or the group of converted farm buildings of which the appeal property forms part. Nor would it harm the wider group of buildings, including the large barn to the south east of the appeal site which appears to remain in agricultural use. I am satisfied that, whilst the proposal may not enhance the character or appearance of the conservation area, it would preserve both its character and appearance and would not harm the setting of conservation area. For these reasons the proposal would not conflict with Policy DM3 of the DPD or CS Policy CS5. For similar reasons the proposal would satisfy that part of DPD Policy DM38 which requires that the local area is not harmed.

Setting of listed buildings

11. Hutton Court, a Grade II* listed building, lies to the south west of the appeal site. There is an access track alongside the western boundary of the appeal site which continues to the east side of Hutton Court. Further to the west, and listed Grade II, is a formal, gated entrance leading to Hutton Court from the corner of Church Lane. The Council refer to the former barn which is the subject of the appeal having been part of the farm connected to the Court and being one of a number of buildings within its setting. However, I am not provided with information regarding the date when the ownership of the farm and Hutton Court were separated.
12. From what I observed during my site visit, inter-visibility between the appeal property and the building of Hutton Court is limited. Setting is not confined to considerations of visibility but extends to the surroundings in which a heritage asset is experienced. Nonetheless, having considered the relationship of the appeal proposal to Hutton Court I am satisfied that the proposed extension would not diminish the significance of the listed building and so would preserve its setting. I consider there would be no appreciable effect on the formal entrance into Hutton Court. Accordingly I find that there would be no conflict with CS Policy CS5 with regard to the effect of the proposal on listed buildings. Whilst DPD Policy DM4 expects development to preserve and where appropriate enhance the setting of listed buildings, I am also satisfied there would be no conflict with this policy.

Other matters

13. I have taken into account that the site is within the Mendip Hills Area of Outstanding Natural Beauty (AONB). The Council refer to long views of the site from public footpaths but the increase in size of the building would be against a background of other buildings. Consequently, I have no reasons to disagree with the Council's finding that there would be no effect on the landscape and scenic beauty of the AONB.

Conclusion and conditions.

14. For the reasons given above I conclude that the appeal should be allowed, subject to appropriate conditions. In addition to standard conditions relating to time limits and specifying the approved plans, the Council seeks a condition regarding the walling and roofing materials. Such a condition is necessary to ensure the detailing of the extension is appropriate. I have amended the Council's proposed wording as the approved plans do not provide sufficient certainty on these matters nor on the detail of windows and doors. A condition restricting additional windows is sought in relation to the west and south elevations. The proposed west elevation includes large areas of glazing at ground and first floor level and there would be no issue regarding privacy. Such a restriction is therefore only necessary in respect of the south elevation. However, in order to maintain the simple form of the proposed extension and its character and appearance, I consider that the Council should have control over the insertion of future openings and any roof alterations.

J E Tempest

INSPECTOR