

Appeal Decision

Site visit made on 11 January 2017

by Y Wright BSc (Hons), DipTP, MSc, DMS, MRTPI

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

Decision date: 23 January 2017

Appeal Ref: APP/A2470/D/16/3165682

Cromwell Cottage, The Square, Ryhall, Rutland PE9 4HJ

- 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 A Rogers against the decision of Rutland County Council.
 - The application Ref 2016/0726/FUL, dated 21 July 2016, was refused by notice dated 15 September 2016.
 - The development proposed is erection of an extension.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Whilst the appellants refer to an error in the drawings regarding the elevations, revised drawings were not submitted with the appeal documents. In any case I must determine the scheme on the basis of the plans as considered by the Council.
3. The appellants have suggested that the materials to be used in constructing the development could be changed, a matter that could be agreed by the Council. However, I have no details as to what these different materials might be. Accordingly, I have considered the development based on the evidence that is before me and as determined by the Council.
4. The appellants state that the Council made no attempt to discuss changes to the materials with them. However this is not a matter for my consideration and the appellants would need to raise their concern with the Council in the first instance. I confirm that in determining the appeal I have had regard only to the planning merits of the proposal.

Main issue

5. The main issue is the effect of the development on the character and appearance of the property and the Ryhall Conservation Area.

Reasons

6. The appeal property is located within the Ryhall Conservation Area. I saw on my site visit that the Conservation Area comprises a mix of detached and semi-detached buildings predominantly built in stone. Whilst there are more modern developments nearby, the form, scale and materials of these older and more
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traditional buildings appear to be defining features of the Conservation Area's character and appearance.

7. The appeal property is a stone built semi-detached cottage located in the centre of the village. It faces directly onto The Square, is opposite the village shop and is to the east of the public house. The dwelling directly abuts Church Lane which lies to the east and I note that there is no pavement or highway verge in this location.
8. The development proposes the erection of a single storey rear extension to the host dwelling. Whilst this would replace an existing small lean-to canopy, it would be considerably larger in size, extending development to the southern boundary of the rear garden and along the entire eastern boundary adjacent to the highway. Even though there would be a sloping roof to the development, it would still be taller in height than the existing canopy.
9. I consider that overall the height and size of the extension together with the use of modern materials would not be sympathetic to the design of the existing dwelling. Furthermore, its location directly adjacent to the highway would result in a visually prominent and intrusive addition within the street scene. This prominence would be exacerbated by the rather awkward and uncharacteristic angles of the development as it would follow the site's boundary lines. This would be clearly visible from the public highway.
10. The appellants have drawn attention to the modern double garage located to the rear of the property. However this is set back from the highway. Furthermore it is not directly comparable to the proposed development and in any case its presence would not justify harmful development. I also note that a cellar extends under the rear garden and have considered the appellants comments that a reduction in the size of the extension would be impracticable as it would encroach on this structure. Nevertheless this would not provide sufficient justification to allow the proposal.
11. The National Planning Policy Framework (the Framework) recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Great weight should be given to the conservation of designated heritage assets, including any harm or loss of significance through development within their setting.
12. Consequently, taking the above into account, I conclude that the development would not accord with the Framework, as it would be out of keeping with the host dwelling and would form a dominant and incongruous feature within the street scene, resulting in material harm to the significance of the Conservation Area. Whilst this harm is less than substantial, the benefits put forward by the appellant to provide additional living space, are not sufficient to outweigh the harm.
13. I therefore conclude that the development would fail to preserve or enhance the character or appearance of the Ryhall Conservation Area, as defined under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development would be contrary to the Rutland Local Development Framework Core Strategy Development Plan Document (2011) (CS) Policy CS22 and the Site Allocations and Policies Development Plan Document (2014) (SAP) Policy SP20, both of which include seeking to protect and enhance heritage assets and their settings including conservation areas and maintain

local distinctiveness and character. It would also conflict with CS Policy CS19 and SAP Policy SP15 which both seek development of good design.

Conclusion

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

Y Wright

INSPECTOR