
Appeal Decisions

Site visit made on 11 January 2017

by David Richards B Soc Sci DipTP MRTPI

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

Decision date: 14 February 2017

Appeal Ref: APP/Y3940/W/16/3160460

The Tithe, Westfield Farm, Nettleton, Wiltshire SN14 7PA

- 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 Alastair McKee against the decision of Wiltshire Council.
 - The application Ref 16/06874/FUL, dated 04 July 2016, was refused by notice dated 23 September 2016.
 - The development proposed is conversion and extension of garage outbuilding to form a garage with ancillary accommodation above.
-

Appeal Ref: APP/Y3940/Y/16/3160524

The Tithe, Westfield Farm, Nettleton, Wiltshire SN14 7PA

- 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 Alastair McKee against the decision of Wiltshire Council.
 - The application Ref 16/07405/LBC, dated 4 July 2016, was refused by notice dated 23 September 2016.
 - The works proposed are conversion and extension of garage outbuilding to form a garage with ancillary accommodation above.
-

Decisions

Appeal Ref: APP/Y3940/W/16/3160460

1. The appeal is allowed and planning permission is granted for conversion and extension of garage outbuilding to form a garage with ancillary accommodation above at The Tithe, Westfield Farm, Nettleton, Wiltshire SN14 7PA in accordance with the terms of the application, Ref 16/06874/FUL, dated 04 July 2016, subject to the following conditions: .
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Ref 2756/02 dated July 2016; Proposed Elevations Sheet 1; Block Plan and Floor Plans Sheet 2.
 - 2) The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as The Tithe and it shall remain within the same planning unit as the main dwelling.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those described on the Application Form dated 4 July 2016.

Appeal Ref: APP/Y3940/Y/16/3160524

2. The appeal is allowed and listed building consent is granted for conversion and extension of garage outbuilding to form a garage with ancillary accommodation above at The Tithe, Westfield Farm, Nettleton, Wiltshire SN14 7PA in accordance with the terms of the application Ref 16/07405/LBC, dated 4 July 2016 subject to the following conditions:
 - 1) The works hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Ref 2756/02 dated July 2016; Proposed Elevations Sheet 1; Block Plan and Floor Plans Sheet 2.
 - 2) The roof lights hereby approved shall be of the conservation type with a single vertical glazing bar and mounted flush with the roof slope.

Application for costs

3. An application for costs was made by the Appellant against the Council. This application is the subject of a separate Decision.

Main Issue

4. The Planning (Listed Building and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The main issue in both appeals is the effect of the proposal on the special architectural and historic interest of the listed building.

Reasons

5. The application was made retrospectively, much of the work having already been carried out.
6. The appeals relate to a former agricultural building within a former farmstead known as Westfield Farm. Many of the buildings within the farmstead have been restored and some converted to residential use, together with some new build. There are a total of five former agricultural buildings at the site for which planning permission and listed building consent for the conversion to residential use and ancillary accommodation was granted in 2010. My impression on visiting the site was that the works had been carried out to a high standard, with careful attention paid to the preservation of the special architectural and historic interest of the site in respect of both design and in the detailing of finishes.
7. The appeal building is of natural stone construction under a steeply pitched clay tiled roof. Three timber garage doors are located on the front elevation of the building. The south-east and north-west elevations of the building incorporate shiplap timber cladding which has been stained dark brown.
8. The Appellant refers to the permission and consent granted by the Council in 2010 (Refs N/10/00258/FUL and N/10/00260/LBC). The approved plans submitted in conjunction with the planning permission (N/10/00258/FUL) show a pitched roof on the building subject to these appeals. It is stated that the inclusion of a pitched roof in the proposal is entirely suitable given that all of the converted agricultural buildings on the site have pitched roofs in accordance with the scheme approved in 2010. Furthermore the construction of

- the pitched roof was carried out by the developer, prior to the purchase of the property by the current Appellant.
9. The Council acknowledges that the use of the space above the garage for ancillary residential use is acceptable in principle. However, it considers that the works carried out give the building an overly domestic appearance, contrasting unacceptably with the agricultural character of the development as a whole. The Council expresses particular concern over the proliferation of rooflights, the construction of an external stone staircase and the use of shiplap cladding on the gable ends. It is considered that that the building is too dominant in its context and adversely affects the setting, character and appearance of the principle listed building.
 10. The appeal building lies within the curtilage of the Grade II listed host building at Westfield Farm, known as the farm house, which was first listed in 1985 as a Grade II Listed Building. (List Entry Number: 1363524). The farm house itself is described as being built in the early 19th Century, characterised by its construction from locally-sourced, rendered stone and a slate roof described as a fine example of a modest English farm house from the 19th Century. The appeal building is a more modest building, included within the curtilage listing. Other buildings included within the curtilage listing, for example the Tithe and the Stables are of considerably greater architectural and historic significance.
 11. There is convincing evidence that the lowering of the rear wall to accommodate the pitched roof now constructed occurred before the Appellant bought the property. It would appear from the evidence submitted with the appeal that the historic form of the building was a simple open fronted shed with a monopitch roof. It is clear that at some time the upper part of the rear wall was removed and rebuilt to accommodate a replacement monopitch roof.
 12. As a result I do not consider that the lowering of the wall has resulted in any significant further loss of architecturally or historically important masonry. In any event the historic form of this particular building was not, in my view, crucial to the significance of the farm group. Although the building as it now appears is significantly taller, it does not compete with the main listed building or detract in any materially significant way with its setting. It remains subservient to the principal buildings on the site, and retains something of the character of an agricultural barn, particularly when viewed from the road. Furthermore, it is clear from the amended block plan that the addition of a pitched roof was envisaged as part of the redevelopment for which permission was granted in 2010. That would inevitably have involved some adjustment to the height of the supporting walls.
 13. With regard to the insertion of four rooflights, these face into the courtyard, and are not visible from the road. While I accept that they alter the character of the building, I do not consider they are an inappropriate feature in an ancillary building. They are metal framed and of a traditional style, such as would not have been out of place in a workshop building. Given that the conversion of the wider group of farm buildings has inevitably resulted in a limited degree of domestication, I do not consider that the insertion of these windows is harmful in context.
 14. The Council also states that the use of shiplap cladding on the gable ends does not reflect any feature found in the existing group. While that is true, the Appellant drew my attention to a nearby barn conversion where it had been

used acceptably, and its use here is not, in my view, discordant or materially harmful to the heritage asset.

15. The scheme has also involved the construction of tallet style steps to the first floor accommodation. These are unfinished as the Appellant was advised to stop working pending the consideration of the applications to which these appeals relate. I acknowledge that these would not have been a feature of the original building, which had no upper floor. However there is a reference within the permitted scheme where the Stables Barn has tallet steps with railings. While I acknowledge that this was an existing feature of the Stables Barn, I do not consider that the inclusion of this feature has resulted in material harm to the significance of the appeal building, or the group as a whole.
16. The Council considers the harm to be less than substantial, and therefore a matter to be balanced with any public benefits in accordance with paragraph 134 of the Framework. I note the Appellant has advanced a special needs argument to set against any material harm identified. However, as I do not consider that the scheme has resulted in any material harm to the significance of the heritage asset, there is no need for me to undertake a balancing exercise. For the same reasons, I do not consider that there would be any material conflict with Core Policies 57 and 58 of the Wiltshire Core Strategy.

Other matters

17. A resident of one of the nearby converted barns expressed concern that the building as it stands would be big enough to accommodate an independent dwelling, and furthermore that the rooflights would overlook the Stable Barn. It is not the intention of the Appellant to convert the building to a separate dwelling. A condition could be attached to ensure that the use of the accommodation remains ancillary to the main use of the Tithe. With regard to overlooking, the Stable Barn is some 30 metres distant from the appeal building, significantly beyond the distance where loss of privacy would normally be considered to be an issue.

Conditions

18. Conditions specifying the plans to be approved are necessary to define the permissions and in the interests of proper planning. Conditions specifying materials and fittings are necessary in the interests of ensuring a satisfactory appearance. A condition to ensure that the accommodation remains associated with the use of the main dwelling (The Tithe) is necessary to protect the amenity of residents of other buildings in the group, and to protect the character of the group of heritage assets.

Conclusion

19. For the reasons given above I consider the appeals should be allowed, and I will grant planning permission and listed building consent.

David Richards

INSPECTOR