
Appeal Decision

Site visit made on 10 May 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 31st May 2017

Appeal Ref: APP/N2535/W/16/3162742

Flat A, The Granary, John Street, Market Rasen LN8 3HH

- 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 Colin Janney against the decision of West Lindsey District Council.
 - The application Ref 134517, dated 23 May 2016, was refused by notice dated 18 August 2016.
 - The development proposed was originally described as "re-submission of planning application 133575 Loft conversion to create two further bedrooms".
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Following the determination of the planning application, the Central Lincolnshire Local Plan (2017)(LP) was adopted. This replaced the West Lindsey Local Plan (2006). I gave both parties the opportunity to comment on this and have had regard to these comments in my decision. As required by planning law¹, I have considered the appeal on the basis of the policies set out in the LP.

Main Issue

3. The main issue is the effect of the development on the character or appearance of the Market Rasen Conservation Area (MRCA) and the setting of nearby listed buildings.

Reasons

4. The appeal site is a two storey building known as The Granary which has been converted into three flats. The Granary is part of a collection of buildings in a small courtyard that is accessed from John Street. To the opposite side is a public car park. The building faces Hannover House and there is a small enclosed garden area between these two buildings.
5. The proposed dormer would extend to almost the full width and height of the roof slope, resulting in a large and bulky addition, which would almost give the appearance of a full third floor to the original property. The overall scale of the dormer and its shallow roof slope would result in an ungainly and unduly

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.

dominant alteration to the building. As a result of both the overall scale of the dormer and the number and position of the proposed windows, the roof slope would also appear overly cluttered. The placing of windows would also add an additional degree of asymmetry and imbalance to the principal elevation. Taken together, these factors would significantly detract from the host building's existing simple and traditional form.

6. Contrary to the appellant's assertion, the dormer would be a prominent feature from the edge of the public car park, particularly at the point where there is a pay machine and a pedestrian link to the high street. It would be reasonable to assume that there is significant footfall in this location. There are also a number of other properties around this end of the car park from which the dormer would be visible. The incongruous and unsympathetic nature of the alterations would therefore be readily visible to a large number of people from these vantage points. Whilst the car park itself may not contribute to the character of the MRCA to any significant degree, the buildings around it, including the appeal site and others in its immediate vicinity, contribute positively to the traditional market town feel of the area. The prominence of the development would serve only to highlight the harm caused to the host building and detract from the wider character and appearance of the area.
7. The Council has raised concerns over the effect of the development on the setting of the listed Advocate Arms. While I noted there would be glimpsed views of the roof from the pub car park, generally the two buildings would not be viewed in the same context and thus I am not concerned that the development would cause material harm to the setting of the pub. No other listed buildings have been specifically identified by the Council. Nonetheless, this does not alter my view that the development would cause harm to the MRCA by virtue of the unacceptable impact on the host building's appearance and the adverse effect its prominent position would have on the wider area.
8. I find therefore that the development would have an unacceptable adverse impact on the character and appearance of the MRCA. Accordingly, there would conflict with LP policies LP17, LP25 and LP26 which seek, amongst other things, to protect the intrinsic value of local townscape, protect and conserve the historic environment and to achieve high quality design that contributes positively to local character. There would also be conflict with paragraph 131 of the National Planning Policy Framework (the Framework) in terms of the desirability of sustaining and enhancing heritage assets.
9. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In my view, the extent of the harm caused by the development to the significance of the MRCA would be less than substantial. Paragraph 134 of the Framework states in such circumstances the harm should be weighed against the public benefits of the proposal. This is reflected in LP Policy LP25.
10. In this case, the development would facilitate an increase in the habitable space of the flat. This would result in only private benefits for the occupants. This does not carry significant weight in balancing the harm to the MRCA. No other benefits have been identified by the appellant. As such, the public benefits of the proposal would not outweigh the harm to the heritage asset.

Other Matters

11. The appellant has drawn my attention to other examples of dormer windows in the vicinity of the site. The ones visible from the car park and in the courtyard are on the front and rear of the same building. These are far smaller examples of dormer than that proposed here and are not at the same height. Moreover, they do not dominate the roof slope in the same way as the appeal proposal. Therefore, they are not directly comparable to the proposal before me. Neither these nor other examples highlighted would lead me to conclude that such alterations are sympathetic additions or appropriate features within the MRCA and thus they do not alter my overall conclusion. In any event, I have considered the appeal on its own merits.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR