

Appeal Decision

Site visit made on 10 October 2017

by Sarah Colebourne MA, MRTPI

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

Decision date: 20th October 2017

Appeal Ref: APP/A2470/D/17/3179383

6 Woodside, Ashwell, Oakham, Rutland, LE15 7LX

- 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 Mrs Doreen Prydderch against the decision of Rutland County Council.
 - The application Ref 2017/0085/FUL, dated 29 January 2017, was refused by notice dated 13 April 2017.
 - The work proposed is described as *'the erection of a wooden garden shed (single storey) with 4 windows one side. Sited behind garages not seen from 'Woodside'. Not obstructing full view of front or side of house. Retrospective.'*
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a wooden garden shed at 6 Woodside, Ashwell, Oakham, Rutland, LE15 7LX in accordance with the terms of the application, Ref 2017/0085/FUL, dated and the plans numbered: T1, T2 and T3.

Main issue

2. The main issue is the effect of the proposed development on the special architectural and historic interest of 6 Woodside and the character and appearance of the Ashwell Conservation Area.

Reasons

3. In considering proposals for planning permission, the duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. The paragraph goes on to say that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 134 requires that where the harm is less than substantial, it should be weighed against the public benefits of the proposal.
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4. Development plan policies CS22 of the Rutland Core Strategy (2011) and SP20 of the Council's Site Allocations and Policies Development Plan Document (2014) reflect the statutory duty and accord with the Framework in that respect, although they fail to acknowledge the need to weigh any less than substantial harm against the public benefits of the proposal as sought in the Framework.
5. The appeal dwelling is a small brick built semi-detached cottage and a grade II listed building. Its architectural and historic significance derives from its rarity as a small scale domestic building designed by the prominent Victorian architect William Butterfield. It is located in a row of other similar cottages in Woodside, a private cul de sac which leads to larger dwellings at its head. Woodside has the wooded character of a narrow country lane with generously spaced dwellings standing in large gardens, contributing significantly to the character and appearance of this part of the Ashwell Conservation Area which is significant as an example of a Victorian estate village. In several of the front gardens there are outbuildings or sheds. Some of those are historic or are well designed and contribute positively to the area, whilst others are less sympathetic and detract from the Victorian architecture of the dwellings.
6. To the front of the appeal dwelling is a historic outbuilding and two modern garage buildings (one of which belongs to another dwelling). The proposed timber shed has already been erected and is sited to the side of the cottage and to the rear of the two garages. The buildings in front of the shed and the heavily planting in and around the site mean that it can only be clearly seen from within the site, from a private path to the side of the property and from properties to the rear and side of no 6. When approaching along Woodside only very limited glimpses are possible. Although the design and materials used in the shed are unremarkable they are not inappropriate in this garden setting. Furthermore, by reason of its unobtrusive siting close to the side boundary of this large garden and away from the dwelling and its small size in relation to the dwelling, it would not harm the significance of either the listed building or the Conservation Area.

Conditions

7. As the development has already been carried out and is acceptable, the standard time limit, compliance with the plans and approval of materials conditions are not necessary.

Conclusion

8. I conclude, therefore, that the proposed shed would not harm the special architectural and historic interest of 6 Woodside and would preserve and enhance the character and appearance of the CA. It would accord with policies CS22 and SP20 and the development plan as a whole and there are no material considerations that justify determining the appeal otherwise. The appeal should be allowed.

Sarah Colebourne

Inspector