



Appeal Decision

Site visit made on 16 October 2017

by S Jones MA DipLP

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

Decision date: 9th November 2017

Appeal Ref: APP/A2470/D/17/3180418

Garden House, The Avenue, Exton, Rutland LE15 8AH

- 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 Peter McNally against the decision of Rutland Council.
 - The application Ref 2016/1162/FUL, dated 23 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is first floor roof extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a first floor roof extension at Garden House, The Avenue, Exton, Rutland LE15 8AH in accordance with the terms of the application, Ref 2016/1162/FUL, dated 23 November 2016, subject to the following conditions:
 - i. The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - ii. The development hereby permitted shall be carried out in accordance with the following approved plans: 1508/2/0101 Location plan, 1508/2/0201 Block Plan, 1508/2/0301 Existing First Floorplan, 1508/2/0302 Existing roofplan, 1508/2/0303 Existing elevations & Sections, 1508/2/0401 Proposed first floorplan, 1508/2/0403/A Proposed elevations & sections, 1508/2/0501 Sun path diagram.
 - iii. No development shall commence until details /samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details /samples.

Application for costs

2. An application for costs was made by Mr Peter McNally against Rutland Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal property, and the surrounding area.

Reasons

4. The appeal property comprises part of a complex of converted barns and outbuildings associated with the former farmhouse at Barnsdale Grange. They are situated immediately behind it down a short private access that curves round behind the Grange and finishes in a shared courtyard in front of the converted properties. The Garden House runs round three sides of the complex and North Barn is located opposite and for the purposes of this appeal I have treated them as part of one barn complex. Barnsdale Grange is now a separate dwelling within its own walled curtilage.
5. A new slightly higher roof is proposed that would tie in slightly below the roof height of the higher section of existing roof to the west and north surrounding the shared courtyard. The proposed plain pitched roof facing the courtyard would match those already around the courtyard and the complex as a whole would continue to give the appearance of a courtyard to former barns and outbuildings, particularly due to the existing barn features in the courtyard area. The characteristic variety of roof heights around it would be retained.
6. There is one dormer currently permitted in the rear roof of the appeal site. Three small rear dormers would be placed in the new slightly higher roof to the rear south elevation. They would have similar windows to the rest of the buildings and alterations would be made to the ground floor windows, reducing them. Furthermore, in terms of appearance, the changes would not be visible in the shared courtyard, or from the Grange, or from any public views generally. The appellant referred to other appeal decisions, and also produced photographs of other small dormers similar to those proposed on other similar style buildings in the area. Barnsdale Grange has two front dormers, although I do not know the date of their construction. Although I have had regard to these matters, I must note that I do not have all the details applicable to those other dormer developments, and only the merits of this appeal are before me. I would agree that dormers are not generally a feature of barns, but in this case, the rear dormers would not significantly detract from the character of the appeal site or the barn complex and its courtyard as a whole due to their small size, rear location and lack of visibility generally.
7. Although previous works have enlarged the barn complex considerably, this particular development would not increase the footprint and the limited change to the roofing proposed would result in only a small increase in volume that would not be disproportionate based on the facts. I appreciate that over time in granting permission for barn conversion successive developments have led to a more domestic appearance than an agricultural one, inevitably to some degree. Moreover, this is not a new conversion but an alteration to an existing conversion, so that domestic change has already taken place for the large part. I consider this proposal would not erode the distinction between the character of the former barns and outbuildings and their new domestic use to an unacceptable degree given its existing conversion some time ago, so that the appeal site would continue to reflect local distinctiveness and characteristics. Therefore as set out above, I consider the development would not have an adverse effect on the character and appearance of the appeal site or the area.
8. In the absence of a Local Listing entry or other information, there is no evidence from the Council that the appeal site or any of the buildings in the complex are locally listed non designated heritage assets. The Officer Report

refers to the fact that some barn complexes can be locally listed, but does not state specifically that this complex is listed officially. Paragraph 134 of the National Planning Policy Framework (the Framework) referred to in the Decision Notice applies to designated heritage assets only and not the local listing of non-designated heritage assets.

9. Even if I were to consider the appeal site as a local heritage asset (whether locally listed or not), an assessment of the effect of the proposal on the significance of the buildings must be made in accordance with paragraph 135 of the Framework. This would not lead me to conclude that the proposed development would result in considerable or unacceptable harm to the significance of the appeal site buildings as non-designated heritage assets because the former complex of agricultural barns and outbuildings would continue to reflect their origins. Indeed, there can be no doubt about the rural character and agricultural origins of the complex. The properties as a group are relatively secluded set back from the highway and surrounded by countryside, and the relationship between the large former farmhouse and the rear former barn complex remains clear.
10. Therefore, as set out above, I consider that the proposed development would not materially harm the character and appearance of the appeal property or the area. Accordingly I conclude the development would not conflict with Policy CS19 of the Rutland Local Development Framework Core Strategy Development Plan Document or Policies SP6(4) and SP15 of the Rutland Local Plan Site Allocations and Policies Development Plan Document or the Framework.

Conclusion

11. For the reasons given above I conclude that the appeal should be allowed subject to conditions that are necessary and relevant in the interests of certainty and to secure a satisfactory appearance.

S Jones

INSPECTOR