
Appeal Decision

Site visit made on 16 July 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/R1010/D/19/3223901

Clownefields Cottage, 7 Clowne Road, Barlborough, Chesterfield S43 4EN

- 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 Paul Telero against the decision of Bolsover District Council.
 - The application Ref 18/00478/FUL, dated 14 September 2018, was refused by notice dated 7 November 2018.
 - The development proposed is described as "alterations and revisions relating to planning application 16/00340/FUL for a two storey rear extension and external alterations including dormer windows in north west elevation, retention of raised patio and retention of boundary wall, (as amended by plans submitted 9th January 2018) and to include roof ridge finials to rear extension and porch".
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The appeal form and stone name sign at the appeal property include an 'e' in Clownefields Cottage, whereas the original application form did not. I have used the corrected spelling throughout my decision.
3. There have been a series of applications to extend Clownefields Cottage. The permission granted in October 2016 (16/00340/FUL) was not implemented in accordance with the approved plans. However, most of the works were regularised through the grant of a further permission in January 2018 (17/00530/FUL) following the submission of amended plans. Although the current application includes elements which have previously been approved it also seeks permission for two roof finials which are already in place but unauthorised. From the evidence before me there are no other matters of dispute between the parties, so I am considering the appeal retrospectively on that basis.

Main Issue

4. The main issue is whether or not the finials preserve or enhance the character or appearance of the Barlborough Conservation Area and the setting of Clowne Fields Farmhouse, a Grade II Listed Building.

Reasons

5. Clownefields Cottage is a two-storey dwelling dating back to the 18th century. It has been enlarged and refurbished but retains some of its simple vernacular style, particularly when viewed from Clowne Road. It lies within the

Barlborough Conservation Area and within the setting of Clowne Fields Farmhouse, a Grade II Listed Building. I therefore have statutory duties to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, and to have special regard to the desirability of preserving the setting of the farmhouse. As heritage assets are irreplaceable, the National Planning Policy Framework (the Framework) states that they should be conserved in a manner appropriate to their significance (paragraph 184). It goes on to advise that any harm or loss requires clear and convincing justification (paragraph 194) and that any harm that is less than substantial must be weighed against the public benefit of the proposal (paragraph 196).

6. The Conservation Area is large, and includes Barlborough village centre as well as the Grade I Listed Barlborough Hall and its Grade II Listed park to the north of the village. Part of its significance derives from the historical interest of the group of farmsteads immediately around the appeal site. Clownefields Cottage contributes positively to the street scene on Clowne Road and to the historic character of this part of the Conservation Area. Two dragon finials have been installed on Clownefields Cottage; one on the porch at the south west corner of the building, the other above the north east gable end. The finials are prominent features, larger than would be expected on a modestly-sized cottage, and out of keeping with the essentially simple design of the host property. The porch finial in particular, not least because of its silver colouring, stands out as a visually intrusive feature which is alien and harmful to the traditional character and appearance of the Conservation Area. Given the size of the Conservation Area as a whole, the impact of the finials is localised but nonetheless harmful.
7. The 18th century Clowne Fields Farmhouse, with which Clownefields Cottage was probably once associated, lies some 25 metres or so from the appeal site. It is a Grade II Listed building with simple and symmetrical lines. The appeal property is a very visible part of the backdrop to the listed building, especially when entering Clowne Road from the north west. Its modest scale and style contributes to the setting of the farmhouse in which the clean lines and historic relative importance of the larger building can be appreciated. The porch finial is especially prominent in views along Clowne Road from the north west past Clowne Fields Farmhouse, drawing attention away from the Listed Building. It detracts from the simplicity of the scene and so causes harm to the setting of the Listed Building.
8. The appellant has provided examples of a number of other buildings within the Conservation Area with finials, including next door at 6 Speetley View. In general, the other finials are of simple styles such as balls, crosses and fleurs-de-lys. Where found on dwellings they are usually relatively small and discreet, unlike the finials in this case. The appellant has also claimed in his support the presence of dragon finials at Bolsover Castle and in a domestic setting in neighbouring Nottinghamshire, but these examples do not persuade me that dragon finials are part of the character or heritage of Barlborough.
9. I therefore conclude that the finials do not preserve or enhance the character and appearance of the Conservation Area, nor do they preserve the setting of the nearby Listed Building. In terms of the Framework the harm to the significance of the Conservation Area and Listed Building as designated

heritage assets is less than substantial. Nonetheless, there are no public benefits arising from the finials to outweigh this harm.

10. The presence of the finials therefore conflicts with saved Policy CON1 of the February 2000 Bolsover Local Plan (the Local Plan), which seeks to ensure that development preserves or enhances the character and appearance of conservation areas, and saved Policy CON10 of the Local Plan which seeks to ensure that development preserves or enhances the setting of listed buildings. For the same reasons, the proposal conflicts with the provisions of the Framework which seek to conserve and enhance the historic environment.

Other matters

11. I note that there have been conflicting representations about the acceptability of the finials. However, it is my duty to assess their effects on designated heritage assets having regard to my statutory duties alongside local and national policy.
12. I also acknowledge that the use of local suppliers and tradesmen could be considered a small economic benefit of the scheme. However, this consideration does not diminish the harm to the heritage assets which I have identified.

Conclusion

13. For the reasons given above, and taking into account all other relevant matters raised, I conclude that the appeal should be dismissed.

M Cryan

Inspector