
Appeal Decision

Site visit made on 15 July 2019

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/K1128/D/19/3224151

**Lower Borough, Track Heading East to Higher Borough, Chivelstone
TQ7 2NJ**

- 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 Matthew Warchus against the decision of South Hams District Council.
 - The application Ref 3823/18/HHO, dated 19 November 2018, was refused by notice dated 10 January 2019.
 - The development proposed is east elevation windows enlarged to form new double glazed timber doors.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have confirmed that since the determination of the planning application there has been a change in the adopted development plan with the adoption of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) by South Hams District Council in March 2019. The JLP has replaced the South Hams Local Plan and South Hams Core Strategy which are now no longer relevant despite being referred to in the decision notice. Instead, the JLP policies now carry full weight. I note that emerging policies TTV32 and DEV22 quoted in the decision notice were amended and adopted as JLP policies TTV29 and DEV21. The National Planning Policy Framework (the Framework) was also revised in February 2019 and this post-dates the Council's refusal notice. I have therefore had regard to national and local policies as adopted at the present time. In light of the changes, I provided the main parties with an opportunity to comment on the policy changes and whether they have any bearing on the appeal. My findings take account of their comments and I have considered the appeal against the current development plan policies.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and its significance as a non-designated heritage asset (NDHA).

Reasons

4. The appeal relates to a former agricultural building that is currently attached to the principal dwelling by a more contemporary single storey link building. The principal dwelling is finished in render, although the building subject of this appeal is finished in stone beneath a slate roof. Although not listed, the rural character of the group of buildings is considered to be of architectural, historical and aesthetic value as a NDHA. The NDHA record provided indicates that a group of buildings of a similar arrangement are shown on maps dating to 1842.
5. The submitted details indicate that the barn has architectural value, relating to the materials used, its vernacular style and historic use (as a bank barn) and its detailing. In assessing its value, the appellant contends that the barn is a heritage asset of low significance, being an undesignated asset of local importance. Whilst I realise that the JLP has superseded all previous development plan documents, both parties have referred to the 'Barn Guide' Supplementary Planning Document (SPD) within their submissions. I consider that the appeal building identifies many of the positive characteristics of the buildings identified within the SPD. These include the material finishes and fenestration of the host barn, allowing the building to maintain a relatively simple and uncluttered appearance and in turn its historic agricultural character, despite its existing residential use.
6. The appellant contends that the existing windows within the eastern elevation are later additions and that their position and subsequent enlargement has no impact upon the building's heritage significance. Notwithstanding this, the existing openings are modest in their form and appear as secondary features within an uncluttered stone gable end. As such I consider the building largely maintains its historic appearance to this elevation.
7. While planning permission may have been granted to lower the sills of these openings, and even if the windows to be enlarged through the scheme that is before me are not original features, I consider that the increased width, height and resultant scale of the enlarged openings, coupled with the louvre shutters would become the dominant features within the eastern elevation of the barn. The proposed development would be at odds with the vernacular style and detailing of the barn and would result in a domesticated appearance diminishing the architectural value of a converted agricultural building of this form.
8. Whilst I note the appellant's assessment of the significance of the barn, having regard to the guidance contained within paragraph 197 of the Framework (reflected within JLP Policy DEV21), I consider that the scale of harm that the proposals would cause to the architectural value of the NDHA would be to the detriment of its significance.
9. I note that reference is made to JLP policy TTV29 'Residential extensions and replacement dwellings in the countryside'. However, having assessed the content of this policy I am not convinced that it is directly relevant to the proposals and as such attribute this little weight in determination of the appeal.
10. The appellant contends that the shutters could be removed by way of condition if I considered this would overcome any perceived harm. However, I have considered the proposals on their merits and in my view such a condition would

not overcome the harm that I have found in respect of the window openings themselves and would not alter my view with regard to harm caused by the appeal proposals.

11. For the reasons set out above, I conclude that the proposal would fail to preserve the character of the host building and its significance as a NDHA. As such it would fail to accord with the conservation aims of JLP Policy DEV21 of the adopted JLP and paragraph 197 of the Framework.

Conclusion

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

Robert Lankshear

INSPECTOR