
Appeal Decision

Site visit made on 15 January 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/B3030/D/19/3242048

Shetlands, Old Chapel Lane, Elston NG23 5NY

- 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 Matt Storey against the decision of Newark & Sherwood District Council.
 - The application Ref 19/01012/FUL, dated 29 May 2019, was refused by notice dated 10 September 2019.
 - The development proposed is the external rendering of the building using light grey coloured Monocouche.
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Decision

1. The appeal is allowed and planning permission is granted for the external rendering of the building using light grey coloured Monocouche at Shetlands, Old Chapel Lane, Elston NG23 5NY in accordance with the terms of the application, Ref 19/01012/FUL, dated 29 May 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

Procedural Matters

2. The description of development on the application form includes reference to new UPVC windows. These works are not however included on either the decision notice, on the appeal form or other appeal documentation. Their absence from all documentation subsequent to the application form suggests that they did not form part of the submission on which the Council determined the application. I too therefore have not included them in my assessment of this appeal.
3. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Elston Conservation Area.
4. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving Elston Chapel or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

5. The main issues are the effect of the proposed development on (i) the character and appearance of the Elston Conservation Area (CA) and (ii) the setting of Elston Chapel, a Grade I Listed Building.

Reasons

Conservation Area

6. The significance of the CA adjacent to the appeal site lies at least in part as a result of Old Chapel Lane forming the main approach to Elston Chapel. Aside from this, there is a proliferation of modern dwellings located along Old Chapel Lane, generally in the form of bungalows, which are infrequently interspersed by dwellings of a more traditional design and form. Whilst the most common material found in the area is red brick, there are a number of examples of rendered and painted buildings in the CA, including Keepers Cottage which is close to the site, together with the less domestic materials that are found on agricultural buildings in the vicinity.
7. By reason of its design and age, the appeal dwelling is not characteristic of the more traditional buildings found in the wider CA and it makes only a very limited contribution in terms of defining the character and significance of the designated area. It is single storey in height and is set back from the edge of Old Chapel Lane, factors which reduce its visual impact on the surrounding area and which would reduce the impact of the proposed render. The proposal would represent a change in the external material of the walls of the dwelling but render is a material which is found in the CA. Taken together, these factors mean that the impact of the proposed render would be limited and that it would not result in harm to the character and appearance of the CA. Furthermore, the proposal would not, in my judgement, diminish the visual significance of nearby rendered buildings.
8. For these reasons, I conclude that the development would not cause harm to the character of the CA, nor would there be any harm caused to its appearance. The development would therefore preserve both the character and appearance of the CA, and the significance of the CA. Consequently, the development meets with the aims of Core Policy 14 of the Newark & Sherwood Amended Core Strategy 2019 (CS), Policies DM5, DM6 and DM9 of the Newark & Sherwood Local Development Framework Allocations & Development Management Development Plan Document 2013 (DPD) and the National Planning Policy Framework (The Framework) which collectively seek to protect character and appearance and the historic environment.

Listed Building

9. Old Chapel Lane terminates at the site of Elston Chapel, a Grade I Listed Building with both historical and architectural significance. The area surrounding the Chapel along Old Chapel Lane includes older dwellings and agricultural buildings, but there is also much modern development within the area, including the dwellings which are closest to the Chapel. The appeal site is located on a key approach to the listed building and the one which provides access to vehicles and pedestrians from the village. For this reason, the appeal site can reasonably be considered to fall within the setting of the listed building.

10. However, due to the alignment of Old Chapel Lane and the positioning of other dwellings, the appeal site and the Chapel are not able to be viewed from one another. The key view of the Chapel from Old Chapel Lane is taken once the appeal dwelling itself has been passed, this being the first glimpse of the Chapel in a view that is framed by Keepers Cottage on the left and a single storey pantile roofed building to the right. Therefore, the proposed rendering would not impair the appreciation of the Chapel from views taken along Old Chapel Lane. Furthermore, due to the intervening buildings and the alignment of the road, there would be no visual harm on wider views taken towards Elston Chapel, or from views taken from within the curtilage of the listed building.
11. For these reasons, I conclude that there would be no harm to the setting of Elston Chapel and therefore that its setting would be preserved. Accordingly, there would be no conflict with the aims of Core Policy 14 of the CS and Policies DM5, DM6 and DM9 of the DPD and The Framework which, taken together, seek to protect character and appearance and the historic environment.

Conditions

12. In the interests of providing certainty, I have imposed a condition relating to the time period for implementing the development. Due to the nature of the proposal no plans showing the proposed development have been provided and therefore an approved plan condition is not required. The Council has requested that further details of the render be submitted for its approval. However, the planning application submission adequately specifies the render to be used and its colour and therefore such a condition is not necessary.

Conclusion

13. For the reasons given above, I conclude that the appeal, subject to conditions should be allowed.

Graham Wraight

INSPECTOR