



Appeal Decision

Site visit made on 21 January 2020 by G Sibley MPLAN MRTPI

Decision by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th February 2020

Appeal Ref: APP/X2410/D/19/3238280

16B High Street, Sileby LE12 7RX

- 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 Sally Bruce against the decision of Charnwood Borough Council.
 - The application Ref: P/19/1116/2, dated 13 May 2019, was refused by notice dated 26 July 2019.
 - The development proposed is for a proposed side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. Since the determination of the application The Sileby Neighbourhood Plan (NP) was made on 16 January 2020. Because the NP had been made, I will attribute full weight to the relevant policies contained within the NP.

Main Issue

4. The effect of the proposed development upon the character and appearance of the street scene and linked to that whether the proposal would preserve or enhance the character or appearance of the Sileby Conservation Area (CA).

Reasons for the Recommendation

5. The existing dwelling was previously a public house that was converted into several dwellings. These brick built buildings now have the appearance of a row of terraced dwellings. The host dwelling has been painted white and the side elevation has been rendered but is also white. The gable roof of the dwelling appears to be grey slate tile and the converted dwellings share a consistent roofline. The extension would be located on the side elevation of the dwelling and faces onto a side road used to access the Malthouse, which is a Grade II listed building, as well as several other buildings. The house fronts onto High Street, although the main doors into the property are on the side and rear of the dwelling.

6. To the rear of the dwelling is the car parking area for the dwelling and the Malthouse and because of this car parking arrangement the garden is located to the side of the dwelling, where the extension is proposed.
7. High Street is located within the CA and is a busy street with several shops and commercial establishments located along it. The buildings in the street and within the CA vary in appearance and scale, although terrace development is common within the street scene. Most of the buildings have been built up against the roadside, as is common in historic shopping streets. There are a number of modern buildings that have been built along High Street and these buildings do not necessarily share the historic, enclosed and compact Victorian character of the street scene. Nevertheless, linear Victorian development remains the dominant characteristic of the street scene.
8. The proposed extension would be single storey and would be around approximately half the depth of the host dwelling. The extension would be located towards the 'front' of the house and because of this it would not be built up against High Street. The extension would be rendered to match the host dwelling and would have large bifold doors that would open out into the garden and would have a flat roof with a roof lantern to provide addition light. The proposal would have a blank elevation facing towards the Malthouse. The garden area is currently surrounded by a tall bamboo fence and because of this, the garden area for the dwelling is not particularly visible from the public domain. Nevertheless, the extension would be taller than this fencing and would be visible from the public domain and consequently, the CA.
9. Given the size of the proposed extension it would appear subservient to the host dwelling but because the proposal would only extend around half the depth of the house, it would not match the historic linear vernacular of the converted public house. As such it would appear as an incongruous addition to the host building. The use of a flat roof with the roof lantern would not match the gable roof of the host building. The proposed extension would also remove a ground floor window which would harm the symmetry that has been created on this elevation which currently has three openings on the ground and first floor and is an attractive elevation which positively contributes to the appearance of the street scene and the CA. This would unbalance this elevation of the dwelling and because the dwelling is located on a junction within the CA, this elevation is prominent within it and because of this, this elevation would be more sensitive to development.
10. The 'front' elevation of the property has two windows in the first floor and a door and window and the ground floor which creates an attractive symmetry which is matched by the other converted dwellings. The proposal would extend the ground floor of the host dwelling by approximately more than half width of the host dwelling and would have a blank end elevation. This would unbalance this elevation of the dwelling and would appear unsympathetic when viewed within the consistent appearance of the other converted dwellings.
11. Consequently, the proposal would unbalance the dwelling and would add an incongruous addition to the host building. Because the proposal would result in harm to the appearance of the host dwelling and because said dwelling is in a prominent location within the CA, the proposal would not preserve the character or appearance of the CA.

12. The Maltings was designated because it is a nationally-rare surviving example of a small-scale mid-C19 brewery that has well-preserved examples of the key process buildings and the individual buildings themselves are distinct in character and appearance and form a coherent ensemble of attached and functionally related buildings that share a common external architectural detailing.
13. The development does not propose any changes to the appearance of the listed Malthouse and therefore, would not harm its architectural importance.
14. The setting of the listed building is of existing terrace development around the site as well as the car parking that separates the two sites. When viewed from High Street the listed building appears to dominate the street scene and is seen to be relatively disconnected from the development around it due to its height and siting. The proposal would be visible within the setting of the listed building when approaching it from High Street. Nevertheless, given the small-scale nature of the proposal it would not interrupt views of the coherent ensemble of attached functionally related buildings or detract from the important characteristics identified above. As such the development would not cause harm to the historic importance of the setting of the listed building.
15. Therefore, whilst the proposal would not cause harm to the historic importance of the listed building, it would unbalance the appearance of the host dwelling and would introduce an incongruous addition to the host building which would not preserve the character or appearance of the street scene and consequently, the CA. However, due to the small-scale nature of the proposal, this would equate to less than substantial harm having regard to The Framework. Nonetheless this harm must still be given considerable importance and weight, having regard to the statutory duty under section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Where harm is less than substantial, paragraph 196 of The National Planning Policy Framework (the Framework) requires that harm to be balanced against any public benefits of the proposed development.
16. From the information provided, no public benefits have been identified. Whilst the proposal would create a kitchen that is more suitable for modern day living, this is not a public benefit of the proposal. Consequently, there are no benefits that would be sufficient to outweigh the harm identified, particularly when considering the weight to be given to the conservation of the asset.
17. Therefore, the proposed development would harm the character and appearance of the street scene and would not preserve the character or appearance of the CA. The proposal would be contrary to Policies CS2 and CS14 of the Charnwood Local Plan Core Strategy (2015). Policy CS2 states that development should respect and enhance the character of the area and Policy CS14 requires development to protect heritage assets and their setting. The proposal would also be contrary to 'saved' Policies EV/1 and H/17 of the Borough of Charnwood Local Plan Written Statement (2004). Policy EV/1 which requires development to respect and enhance the local environment and that it is of a high standard of design. Policy H/17 sets out development requirements for extensions to dwellings including that they should not appear intrusive or incongruous within the street scene. The proposal would also be contrary to Policy G1 and G2 of the NP. Policy G1 permits development within the development limits where the proposal complies with the policies in the NP and

Policy G2 notes that new development should enhance and reinforce the local distinctiveness and character of the area in which it is situated, particularly within the CA. The proposal would also be contrary to the relevant sections of the National Planning Policy Framework in so far as it seeks to promote good design in residential development and the preservation of heritage assets.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

V Lucas

INSPECTOR