
Appeal Decision

Site visit made on 11 February 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2020.

Appeal Ref: APP/T3725/W/19/3241537

Mulberry Cottage, Warwick Road, Leek Wootton CV35 7QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr J Molloy against the decision of Warwick District Council.
 - The application Ref W/18/2453, dated 31 December 2018, was refused by notice dated 31 May 2019.
 - The application sought planning permission for the proposed conversion of redundant barn into holiday accommodation without complying with a condition attached to planning permission Ref W/11/1431, dated 7 June 2012.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing 4627/2/11A received on 8/5/2012, and specification contained therein, submitted on 16/11/2011 unless first agreed otherwise in writing by the District Planning Authority.
 - The reason given for the condition is: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
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This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 20 April 2020.

Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of the site visit I noted that the exterior of the barn is largely complete, albeit the glazing was yet to be installed. I have dealt with the appeal on this basis.

Application for costs

3. An application for costs was made by J Molloy against Warwick District Council. This application is the subject of a separate Decision.

Background and Main Issues

4. Planning permission has been granted for the alteration, extension and conversion of the host property from a barn into holiday accommodation. From

the evidence before me there are differences between the planning permission and the development that has been carried out. These mainly relate to the rebuilding and enlargement of the smaller projection and new openings in the northern and southern elevation of the building, the widening of front and rear door openings, the construction of a chimney, the insertion of rooflights and the bricking up of existing openings.

5. The main issue is the effect of the proposal on the character and appearance of the host property and area, including whether it would preserve or enhance the character or appearance of the Leek Wootton Conservation Area (CA).

Reasons

Character and appearance

6. The barn neighbours Mulberry Cottage separated by a driveway that leads to the barn and a detached double garage. Open countryside and a tree belt extend beyond the barn. Mulberry Cottage whilst located within the CA is located some distance from the centre of the village and is separated from it by intervening fields. Views of the site are limited to those from public Rights of Way extending along the south east of Leek Wootton and the nearby golf course. The site is located within the Green Belt.
7. It appears that the appellant has encountered a number of hurdles, during the construction works, to convert the barn into holiday accommodation due to its deteriorating structural condition. This has led to the appellant deviating from the plans approved under planning permission W/11/1431.
8. Whilst I have no information regarding the size of the previous lean-to extension, I find that the smaller gable remains subservient to the building and its appearance generally sympathetic to the original barn. I am satisfied that the rebuilding and enlargement of the smaller gable is not excessive and that it does not harm the character and appearance of the original barn. I also find the infilling of existing openings with a small recess to be appropriate and allows the original form of the barn to remain clearly recognisable.
9. Notwithstanding the above, I find that the enlarged openings in both the northern and southern elevation and the proposed doors and glazing would introduce incongruous domestic style features that would not sit comfortably with the more traditional rural appearance of the building.
10. The appellant contends that the development includes less windows and doors than the original scheme. However, irrespective of the reduction in the amount of glazing, the use of 'conservation' type roof lights and original tiles, the number of rooflights in the eastern roof slope is excessive and obtrusive interrupting the form of the roof space and undermining the building's traditional appearance.
11. The proposal includes the installation of a wood burning stove and the associated construction of a chimney. The appellant has drawn my attention to similar features in other barn conversions. However, this does not lead me to a different overall conclusion that the proposal would be unacceptable as a result of the harm I have already described.
12. I appreciate the appellant's desire to provide suitable holiday accommodation for prospective guests. However, the alterations result in a domestication of the

building that undermines the rural appearance of the building and the character and appearance of the area, notwithstanding that views of the property from the surrounding area are limited. Consequently, the development is contrary to Policy BE4 of the Warwick District Local Plan (2017) (LP) which, amongst other things, requires new development to retain and respect the special qualities of traditional rural buildings. It would also fail to accord with Supplementary Planning Guidance 'Agricultural Building and Conversion – Barns' (2010).

Leek Wootton CA

13. Whilst I acknowledge that until recently the appellant was not aware that the site falls within a CA, it does.
14. The CA is characterised by the historic core of the village and open countryside at the southern entrance to the village that sits between the appeal site and All Saints Church. This landscape provides a verdant setting for the village but is only really appreciated from nearby Public Rights of Way and the golf course.
15. I acknowledge that views of the appeal site are localised. However, the alterations to and the domestication of the building are still evident from within the surrounding area. This undermines its historic rural appearance and does not preserve the rural character or appearance of the CA.
16. In light of the above I find that there would be some, albeit limited harm to the CA. Accordingly, the proposal would be contrary to Policies BE1 and H2 of the LP and paragraph 127 (c) of the National Planning Policy Framework (the Framework).
17. In this case I conclude that the proposal would lead to less than substantial harm to the significance of the CA. This harm should be weighed against the public benefits of the proposal including, where, appropriate, securing its optimum viable use, which I now turn to.
18. In this regard, the proposal would ensure the future use of the building and contribute towards the provision of holiday accommodation in the area, but these benefits are modest. I therefore afford them limited weight. Taking into consideration the points above I find that the harm to the CA would outweigh the public benefits of the development.
19. As such, it would fail to preserve or enhance the character and appearance of the CA contrary to Policies BE1 and HE2 of the LP which, amongst other things, requires new development to reflect, respect and reinforce local architectural and historic distinctiveness and to make a positive contribution to the character and appearance of conservation areas.

Other Matters

20. The Council submits that the appeal building is a non-designated asset. The appellant contends that a balanced judgement should be made with regard to non-designated heritage assets, as set out in the Framework. I have, in coming to my decision, found that the development undermines the historic significance of the barn which would not be outweighed by other considerations.

21. I note the support of the Parish Council for the appeal scheme. However, this does not overcome the harm that I have identified. The appellant's concerns over the application process is not a matter for me in this appeal.

Conclusion

22. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR