



Appeal Decision

Site visit made on 6 July 2020 by Darren Ellis MPlan

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2020

Appeal Ref: APP/R1010/D/20/3248835

7 Clowne Road, Barlborough, 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 Max Telero against the decision of Bolsover District Council.
 - The application Ref 19/00581/FUL, dated 8 October 2019, was refused by notice dated 20 January 2020.
 - The development proposed is a new pitched roof to replace flat roof to existing detached garage with decorative ball top roof finial, and to replace the existing porch and house extension roof finials with the same design of roof finial.
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Decision

1. The appeal is allowed and planning permission is granted for a new pitched roof to replace flat roof to existing detached garage with decorative roof finial, and to replace the existing porch and house extension roof finials at 7 Clowne Road, Barlborough, S43 4EN in accordance with the terms of the application 19/00581/FUL, dated 8 October 2019, subject to these conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Proposed Elevations drawing number 1012/003 revision A; Proposed Floor/Block Plan & Construction Notes drawing number 1012/002 revision D; Photographs named 'Porch Finials', 'Porch Finials 1', 'Garage & House Finials' and 'Garage & House Finials 1'.
 - 3) Before their installation, the finials must be painted and installed in a colour to match the existing roof tiles and thereafter maintained in a colour to match the colour of the roof on which they are installed.

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. I note there is a discrepancy between the applicant's name on the application form, which has the same name for the appellant and the agent, and the appellant's name on the appeal form. From the appeal statement it is clear that
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the name on the application for is the agent's name, and therefore in the heading above I have used the appellant's name as shown on the appeal form.

4. The Local Plan for Bolsover District (LP) was adopted in March 2020, after the original application was determined by the Council. The LP has superseded the Bolsover District Local Plan (2000) against which the original application was assessed. The LP now forms part of the development plan, and as such this appeal will be determined in accordance with LP. Both the Council and the appellant have had the opportunity to provide their comments on the relevant policies of the LP and are not therefore prejudiced by my consideration of it.
5. The pitched roof to the garage has already been constructed and has been finished with a fleur-de-lys finial. I note from the planning history in the officer's report that planning permission has been granted separately for the pitched roof¹. I have therefore determined the appeal on this basis.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the appeal property, including whether or not it preserves or enhances the character and appearance of the Barlborough Conservation Area and the setting of the grade II listed Clownefields farmhouse.

Reasons for the Recommendation

7. The appeal site comprises a two-storey detached cottage with a detached garage located in Clowne Road, Barlborough. The properties along this part of Clowne Road are of varying designs and are located within the Barlborough Conservation Area (CA). Opposite the appeal site is the grade II listed Clownefields farmhouse.
8. The appeal site is close to the south-eastern edge of the CA. The historical interest and character of the properties immediately around the appeal site contributes to the significance of the CA. The appeal property contributes positively to the street scene on Clowne Road and to the historic character of this part of the Conservation Area.
9. Dragon finials have previously been added to the roofs of the porch and the extended part of the cottage. Permission was sought² for these finials, however planning permission was refused and an appeal was dismissed³ on the grounds that, as a result of their size, design and colour, the dragon finials did not preserve or enhance the character and appearance of the CA, nor preserve the setting of the nearby Listed Building.
10. Permission is sought for the recently constructed pitched roof and finial on the garage, and to replace the existing dragon finials with a ball-top finial to the porch and a fleur-de-lys finial on the house extension.
11. The traditional buildings in this part of the CA contribute positively to the character and appearance of the CA. The appeal property is highly visible from the street and is prominent in the CA. The cottage has previously been enlarged and refurbished, including the addition of modern render and uPVC windows, but retains some of its simple vernacular style, particularly when

¹ Planning application ref. 19/00445/FUL

² Planning application ref. 18/00478/FUL

³ Appeal ref. APP/R1010/D/19/3223901

viewed from Clowne Road. While decorative finials may not be typical of a vernacular property, the proposed finials would be of a modest size and would be painted black to match the colour of the roof. The proposed finial on the roof of the extension would be to the rear of the property, and the finial on the porch would be seen against the backdrop of the cottage and the main roof. The finials would be of a modest size, and given their positions they would not detract from the character and appearance of the property. This is in contrast to those previously dismissed on appeal that were described in the following terms by the Inspector dealing with that appeal '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'.

12. The property next door, 6 Speetley View, and the grade II listed Clownefields farmhouse opposite the site both have Romanesque-style finials that are highly visible in the street scene. These finials are modestly-sized, of a similar design to those proposed and are coloured to match the roofs they sit on. As such, these existing finials are an established part of the street scene and the setting of the listed building. The proposed finials at the appeal site would be in keeping with these existing finials and consequently not be out of keeping with the character and appearance of the CA and the setting of the Clownefields farmhouse.
13. The size, design and positioning of the finials does not detract from the existing property, which although an important contributor to the character and appearance of the conservation area is not of itself listed. Although a vernacular building where limited adornment would be expected the nature of the adornment resultant from these small relatively discreet elements would not detract from the overall simple appearance of the building, the conservation area, which would be preserved, or the setting of the nearby Clownefields farmhouse.
14. I note that the Council raised no objection to the proposed pitched roof to the garage in the original application, and as the roof has since been approved in a later application I have no reason to disagree.
15. For these reasons, I conclude that the proposal would not detract from the character and appearance of the appeal property, nor the surrounding area and would preserve the character and appearance of the CA. Furthermore, the proposal would not detract from the setting of the grade II listed Clownefields farmhouse. As such the proposal would accord with policies SC16 and SC17 of the LP, which require development proposals to preserve or enhance the character and appearance of the area and its setting, and to protect the significance of a heritage asset, including its setting.

Conditions

16. I recommend the standard time limit condition and a condition specifying the approved plans to provide certainty and in the interests of proper planning.
17. The 'Proposed Floor/Block Plan & Construction Notes', drawing no. 1012/002 revision D, states in paragraph 11 that the finials are to be black in colour. It is necessary for a condition to be added that requires the colour of the finials to match the colour of the roof, should the roof materials ever be changed. This would ensure that the finials preserve the character and appearance of the property and the CA, and the setting of the listed building.

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed and planning permission granted subject to the conditions listed above.

D Ellis

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 the appeal is allowed and planning permission is granted subject to the conditions above.

Kenneth Stone

INSPECTOR