



Appeal Decision

Site visit made on 8 December 2020

by R Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/P3040/W/20/3259323

Fernhill Barn, Langar Road, Colston Basset NG12 3FT

- 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 Nigel Singh against the decision of Rushcliffe Borough Council.
 - The application Ref 20/01076/FUL, dated 13 May 2020, was refused by notice dated 24 July 2020.
 - The development proposed is the conversion and extension of barns to form dwelling including orangery extension - amended scheme to include orangery extension.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of barns to form dwelling including orangery extension, construction of detached car port and construction of front boundary wall and gates at Fernhill Barn, Langar Road, Colston Basset NG12 3FT, in accordance with the terms of planning application 20/01076/FUL, dated 13 May 2020, subject to the conditions set out in a schedule at the end of this decision.

Preliminary Matters

2. The site benefits from extant planning permission ref.19/01720 which is identical to the scheme before me in all respects save for a proposed orangery extension to the rear elevation of part of the original building. With all other matters being the same, I have limited my considerations to the issue of the proposed change to the scheme and I am satisfied that no party will be prejudiced by my doing so.
3. The description in the banner heading above is taken from the planning application form. This differs from that used on the Council's decision notice and by the appellant on the appeal form. The description used in my decision above provides a more complete description of the development and is the description used to notify neighbours and other interested parties. I therefore conclude that no party will be prejudiced by my use of it.
4. At the time of my site visit works had commenced on the development including footings for a rear extension in the location of the proposed orangery. However, these appeared to project to a distance greater than that annotated on the proposed ground floor plan. For the avoidance of doubt, this appeal is determined on the basis of the plans as submitted with the planning application.
5. The site lies within the Green Belt. There is no dispute between the parties that the proposal would not constitute an inappropriate form of development in the

Green Belt or lead to any other Green Belt harm. Having visited the site and had regard to the evidence before me, I concur with that view. Accordingly, it is my view that the development proposed would protect the openness and permanence of the Green Belt and I shall make no further reference to this matter.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the barns and the locality.

Reasons

7. The site lies within a small cluster of development to the southern side of Langar Road which is surrounded by hedged agricultural and grazing land in a rolling landscape interspersed with small woodlands, nucleated settlements and small groups of isolated buildings. The group is made up of a traditional former farmhouse and its formerly associated buildings alongside a small number of modern dwellings. Some traditional brick and stone barns have been converted for residential purposes and augmented with extensions and detached buildings.
8. At the time of my site inspection, works to convert the L-plan range of traditional barns to residential use was well underway at the site. In addition, a recently built car port had been erected between the barns and the roadway and a new eastern wing to form a courtyard with the original barns had been constructed leaving an open aspect to the south.
9. The proposal would be a lightweight structure formed of glazed walls covering 3 central openings on the rear elevation of the original northern barn which lies parallel to the roadway. The extension would project about 3m from the rear elevation into the formed courtyard and sit below the eaves line of the original building.
10. The glazed construction of the extension would contrast sharply with the traditional stone and brick construction of the barn. Its box form and low flat roof would share little of the character and appearance of the original building. However, in order to best preserve the original character of the traditional barns it does not necessarily require new development to mimic the design facets of the host buildings.
11. The previously approved scheme includes a similarly designed glazed extension to the side of the traditional barn forming the western wing of the courtyard. It also reflects the approved approach of providing a purposely contrasting extension to link the L-plan barns to the new eastern wing whereby a fully glazed atrium will preserve the visual interpretation of the original linear barn.
12. The glazed construction of the proposal would permit views into its interior that would include the retained original elevation and openings. Alongside its subordinate scale and contrasting materials, the light-touch approach would similarly preserve the visual integrity of the original barn. Although it would not be a traditional form of extension or be finished in matching materials, the juxtaposition would be successful in a manner similar to that previously accepted in relation to the other glazed extensions. It would also follow a consistent approach to extensions of a contrasting nature observed on the neighbouring barn immediately adjacent to the site.

13. Moreover, the proposal would have a neutral effect upon the character of the locality on account of its screened position within the courtyard. Direct views would be extremely limited to those through the open side of the courtyard which are over long distances from the south and obscured by successive hedgerows. In such views, any sight of the lightweight construction would be dominated by the traditional form and scale of primary building elements and be assimilated in the context of the other glazed extensions and highly glazed gable elevations.
14. For the above reasons, I find that, in the particular circumstances of the case, the proposals would integrate with building elements that have been approved as part of a previous permission and be comparable in principle to extensions visible on another conversion scheme in the immediate locality. Despite the contrasting form and materials, the proposed additional element of the development would have little effect on the character and appearance of the barns or the locality. The development would thereby align with Policy 10 of the Rushcliffe Local Plan Part 1: Core Strategy (2014) and Policy 1 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019), as they seek to secure high standards of design that are sympathetic to and reinforce the character and appearance of the locality.

Conditions

15. I have considered the suggested conditions from the Council and had regard to Paragraph 55 of the National Planning Policy Framework and the National Planning Practice Guidance in terms of the use of planning conditions. Some have been edited for precision and clarity. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
16. In order to protect the character and appearance of the locality conditions requiring specified materials and landscaping details are required. Agreed conditions removing certain permitted development rights are also attached.
17. To achieve net biodiversity gain in association with the development a condition in relation to providing bat roosting and bird nesting opportunities is reasonable and necessary. To mitigate climate change, promote sustainable travel and conserve resources an electric vehicle charging point and design for reduced water consumption are required.
18. To secure a safe form of development conditions in relation to potential sources of contamination and provision of a suitably constructed access are required.

Conclusion

19. For the above reasons, the appeal should be allowed.

R Hitchcock

INSPECTOR

Schedule of conditions to planning permission 20/01076/FUL

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
(04)10-01; (04)10-02 Rev A; (04)13-01; (04)13-02; (04)13-03; (04)13-04; (04)13-05; (04)14-01; and, (04)05-01, Rev C.
- 3) The development hereby permitted shall not be brought into use until a detailed landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed hedgerow and tree planting along the front boundary of the site (noting species, sizes and proposed numbers/densities where appropriate), boundary treatments/means of enclosure for all other parts of the site and details of proposed materials for any areas of hard surfacing within the site.

The landscaping scheme shall be carried out in the first planting season following first occupation of the development and any trees or plants which are removed or become seriously damaged or diseased in the first five year period commencing with the date of planting shall be replaced in the next planting season with others of similar size and species.
- 4) Prior to first occupation of the dwelling hereby approved details for the provision of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. A minimum of 2 artificial bird nests and one bat box shall be erected on the site and retained for the lifetime of the development.
- 5) Any new brick and roof tiles shall match the existing facing materials of the building in colour and texture.
- 6) If any unexpected, visibly contaminated or odorous material or tanks or structures of any sort are encountered during development, remediation proposals shall be submitted to and approved in writing by the Local Planning Authority before further work is undertaken in the affected area and works shall proceed only in accordance with the agreed remediation proposals.
- 7) Prior to any soil or forming materials being brought to site for use in garden areas, soft landscaping, filling and level raising these shall be tested for contamination and suitability for use on site. Contamination testing should take place within UKAS and MCERTS accredited laboratories, unless otherwise agreed with the Borough Council. Details of the source and type of the imported materials, the estimated amount to be used on the site and laboratory certificates shall be submitted to and approved in writing by the Local Planning Authority before being brought on site.
- 8) Occupation of the dwelling shall not take place until the access has been provided in accordance with the approved Site Plan, reference (04)13-01, and surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary and drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge

of surface water to the public highway shall be retained for the life of the development.

- 9) An Electric Vehicle Charging Point shall be provided within the site for the dwelling hereby approved and installed prior to occupation and be retained thereafter for the lifetime of the development.
- 10) The dwelling hereby permitted shall be designed to meet the higher 'Optional Technical Housing Standard' for water consumption of no more than 110 litres per person per day.
- 11) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no enlargement of the dwelling hereby approved without planning permission first being obtained from the Local Planning Authority.
- 12) Notwithstanding the provisions of Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no sheds, buildings or structures shall be erected on the site without planning permission first being obtained from the Local Planning Authority.
- 13) Notwithstanding the provisions of Part 1 Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no provision within the curtilage of the dwelling of a hard surface other than that shown on the approved plans without planning permission first being obtained from the Local Planning Authority.
- 14) Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no new walls, gates or fences shall be erected within the site without planning permission first being obtained from the Local Planning Authority.

End of schedule.