



Appeal Decision

Site visit made on 19 October 2021 by Darren Ellis MPlan

Decision by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2022

Appeal Ref: APP/A3010/D/21/3278399

Rose Cottage, 14 Queens Walk, Nether Langwith HG20 9EW

- 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 Robert Watson against the decision of the Bassetlaw District Council.
 - The application Ref 21/00184/HSE, dated 14 February 2021, was refused by notice dated 6 May 2021.
 - The development proposed is 'to change the flat roof of my 2 storey extension to a pitched roof'.
-

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.

Main Issues

3. The main issues are the effect of the development on:
 - The character and appearance of the property;
 - The character and appearance of the Nether Langwith Conservation Area, and consequently whether or not the proposal would preserve or enhance the character and appearance of the conservation area; and
 - The setting of the Grade II listed building at 'Greenrigs'.

Reasons for the Recommendation

4. The appeal site comprises a two-storey semi-detached dwelling set back from Queen's Road in a generous plot. Adjacent to the site is the village hall, with the other properties in the street being a mix of detached, semi-detached and terraced dwellings. The appeal site lies within the Nether Langwith Conservation Area (CA) and falls within the setting of the Grade II listed building named 'Greenrigs'.
 5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
-

Section 66 (1) of the Act requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses.

6. The historical interest and character of the properties immediately around the appeal site contributes to the significance of the CA. 'Greenrigs' is a late 18th century cottage on Queens Walk with a traditional design, materials and detailing. The original building at the appeal property, which was designed in the Jacobean revival style, contributes positively to the street scene on Queens Walk, to the historic character of this part of the Conservation Area and to the setting of 'Greenrigs'.
7. The original building consisted of two front-facing gables. Neither the existing flat roof of the two-storey side extension nor the proposed gable roof are in keeping with the Jacobean revival style design of the building, which is characterised by the front-facing gables and the roof ridges being perpendicular to the street. The proposed roof would add considerable mass and bulk to the property and as such would be considerably more prominent in the street scene. The proposal would therefore increase the emphasis on the variance to the design of the original building to the detriment of the character and appearance of the existing property and the street scene.
8. The proposed materials would match the materials used for the original dwellings, including replacing the existing plastic fascias and guttering of the extension with metal rise and fall gutters. However, this would not mitigate the harm that would be caused by the scale and design of the new roof.
9. As such, the proposal would neither preserve nor enhance the character or appearance of the Nether Langwith Conservation Area and would detract from the setting of the listed building. The proposal would consequently cause harm to the significance of the heritage assets, although the harm would be less than substantial.
10. The National Planning Policy Framework (the Framework) indicates that great importance should be given to the asset's conservation. Furthermore, in the parlance of paragraph 202 of the Framework, the less than substantial harm I have identified should be weighed against the public benefits of the proposed development. In this case however, no public benefits have been identified and as a consequence, the proposal would fail to comply with the requirements of sections 72(1) and 66(1) of the Act and the Framework.
11. Moreover, the proposal would conflict with policy DM8 of the Core Strategy & Development Management Policies DPD (December 2011), which requires development which affect heritage assets to of an appropriate scale and design, and that proposals that fail to preserve or enhance the setting of a heritage asset will not be supported.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance with the development plan.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

J Hunter

INSPECTOR