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## Appeal Decision

Site visit made on 7 February 2022

**by B Plenty BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 February 2022**

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**Appeal Ref: APP/T3725/D/21/3286981**

**Stable Cottage, Main Street, Norton Lindsey, WARWICK CV35 8JA**

- 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 Catherine McMillan against the decision of Warwick District Council.
  - The application Ref W/21/1000, dated 20 May 2021, was refused by notice dated 10 October 2021.
  - The development proposed is a single storey timber orangery.
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### Decision

1. The appeal is allowed, and planning permission is granted for a single storey timber orangery at Stable Cottage, WARWICK CV35 8JA in accordance with the terms of the application, Ref W/21/1000, dated 20 May 2021, and the plans submitted with it, subject to the following 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 and drawings: 12138/02 and 12138/03.
  - 3) No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

### Preliminary Matters

2. Paragraph 149, of the National Planning Policy Framework (The Framework), establishes that a new building would be inappropriate in the Green Belt unless it would meet a listed exception. The proposed and existing extensions would together increase the floorspace of the original dwelling by around 21%. Furthermore, the extension would be relatively small and discrete to the rear of the dwelling. Consequently, in combination with the existing extension, the proposal would not be a disproportionate addition to the original dwelling. Accordingly, the proposal would not be inappropriate development in the Green Belt.
3. The Council's reason for refusal includes reference to policies H14 and B4 of the Warwick District Local Plan 2011-2029 (2017)(LP). However, policy H14 relates to proposals for extensions to dwellings in the open countryside and policy BE4 is concerned with proposals for the conversion of rural buildings. As the

building is not within the open countryside policy H14 would not apply in this case. Furthermore, policy BE4 is also not relevant as it does not provide policy direction with respect to extensions. I have therefore not considered these policies further in my assessment of the merits of the proposed scheme.

4. Furthermore, the Council also refers to its Barn conversion guidance<sup>1</sup>. This requires a converted barn to retain its character by preventing the introduction of domestic elements. However, the appellant's evidence explains the history of the building and its former uses. I find this to be relatively compelling in illustrating that the dwelling was not previously used as a barn. Furthermore, during my visit I noted that the building is low rise and does not retain any physical evidence that might indicate its former use as a barn. As such, the Council's guidance would not be relevant in consideration of the proposed development.

### **Main Issue**

5. The main issue is whether the proposed extension would preserve or enhance the character and appearance of the Norton Lindsey Conservation Area.

### **Reasons**

6. Main Street consists of residential properties of various styles and sizes. These are predominantly of traditional design and character, many of which having exposed timber frames. The dwellings largely include a propensity of brick, decorative detailing and clay tile roofs. The appeal site is a single-storey dwelling adjacent to a short road off the main street through the village. It is domestic in character, similar in form to local buildings and therefore makes a positive contribution to the character and appearance of the area.
7. The appeal site is within the Norton Lindsey Conservation Area (NLCA). My statutory duty<sup>2</sup>, requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, paragraph 199 of the Framework requires great weight to be given to an asset's conservation when considering the impact of the proposal on its significance. The settlement's pattern of development is close-knit, but of free-form arrangement, creating an eclectic mix of building lines. This results in a comparatively haphazard, but pleasant, arrangement of built form. The significance of the NLCA therefore seems to derive from the traditional rural architectural interest of its buildings, their inter-relationship and the non-uniform spacing between them and the highway.
8. The proposed orangery would be located to the rear of the dwelling and have a timber structure. Some oblique views of it would be possible from the driveway to the side of the plot. However, these would only be obtained by the limited users of Barn Cottage and the residential property beyond. Also, due to its small scale, use of traditional materials and discrete location the proposed extension would be an unobtrusive addition to the building with limited effect on the streetscene.
9. The dwelling includes a rear conservatory which clearly portrays the domestic nature of its use. The proposed addition would be sited within a rear corner of the dwelling, with a roof that would follow the existing eaves of the building. It

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<sup>1</sup> Agricultural Buildings and Conservation- Barns 2010

<sup>2</sup> section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990

would therefore have a limited impact on the traditional features of the building and would retain its simple form. As a result, the proposed orangery would be in keeping with the character of the existing building and be discrete in views within the NLCA. Therefore, taking these points together, the proposed extension would make a positive contribution to the existing dwelling and wider streetscene.

10. As a result, the proposal would preserve and enhance the character and appearance of the conservation area. Accordingly, the proposal would comply with policy HE1 of the LP, which seeks to resist development that would result in substantial harm to the significance of a designated asset.
11. I have imposed the standard conditions with respect to timeframes and approved plans as advised by the PPG for clarity and certainty. It is also necessary for materials to be agreed by the Council in the interests of the character and appearance of the area.
12. The proposal would accord with the development plan when taken as a whole. For the reasons given above, I therefore conclude that the appeal should be allowed with conditions.

*B Plenty*

INSPECTOR