
Appeal Decision

Site visit made on 22 February 2022

by D M Young JP BSc (Hons) MPlan MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 4th March 2022

Appeal Ref: APP/P3040/D/22/3290435

3 Wysall Lane, Rempstone, Loughborough LE12 6RW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Thomas Crabtree against the decision of Rushcliffe Borough Council.
 - The application Ref 21/02235/FUL, dated 30 July 2021, was refused by notice dated 25 October 2021.
 - The development proposed is the construction of attached double garage; Conversion of existing garage to store and home office; Reprofile existing driveway; Construction of retaining wall; Replace existing driveway with turfed area; Addition of canopy porch to front elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of attached double garage; Conversion of existing garage to store and home office; Reprofile existing driveway; Construction of retaining wall; Replace existing driveway with turfed area; Addition of canopy porch to front elevation at 3 Wysall Lane, Rempstone, Loughborough LE12 6RW in accordance with the terms of the application, Ref 21/02235/FUL, dated 30 July 2021 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 approved plans.

Main Issue

2. This is the effect of the development on the setting of Grange Farm (Grade II listed) and the Wysall Lane street scene.

Reasons

3. The appeal scheme seeks permission for a single storey front extension projecting 6.5m forward of the existing front elevation. The Council argue that the proposed front extension would be seen in angled views of Grange Farm and would therefore harm its setting.
4. The National Planning Policy Framework (the Framework) explains that setting is *"the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a*

setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.

5. Against that definition, I find it too simplistic to equate intervisibility and setting. A proper understanding of a building's setting can only be gained by fully understanding what the asset's special qualities are and how these are experienced. From the evidence before me, I am not convinced that the Council has approached its assessment in this way.
6. The value of Grange Farm as a heritage asset is primarily derived from it being a well-preserved example of 17/18th Century vernacular architecture. In that regard, I concur with the Appellant that Grange Farm's heritage significance relates primarily to its architectural interest and its immediate setting. In this case, that setting is clearly defined on the ground by the curtilage of Grange Farm. The public are able to experience and enjoy the architectural interest and setting of Grange Farm from Wysall Lane in views along the driveway where the building commands an elevated position.
7. From my observations, the ribbon of modern development to the north makes a very limited contribution to the way Grange Farm is experienced, understood and enjoyed by the public at large. There is ample separation between the appeal site and the asset which is set back some distance from the roadside behind a band of mature landscaping. The building is principally seen in direct views along the driveway and is well-screened in longer distance views to the north-east and south-west.
8. I accept the front extension would encroach to some degree into longer distance views of the asset from the north-east, notably around the access to Dales Farm. However, the overall effect would be marginal, and this is unlikely to be a location from where the public currently enjoy or experience the asset given its partial concealment by the appeal property. The proposed development would have no effect on the principal views of Grange Farm referred to above.
9. For the above reasons, I find that the effect of the proposed development on the setting of Grange Farm would be neutral. As a consequence, there would be no breach of the duty under Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special regard to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
10. As the Appellant's CGI's demonstrate, the scale of the extension would be modest and clearly subservient to the main dwelling, it would also be set back generously from Wysall Lane at a higher level and constructed in matching materials. These considerations lead me to the conclusion that the extension would not have an unacceptable impact on the Wysall Lane street scene.
11. Based on the foregoing, I conclude that the development would not conflict with Policies 10 and 11 of the Rushcliffe Local Plan Part 1: Core Strategy, Policies 1 and 28 of the Rushcliffe Local Plan Part 2: Land and Planning Policies, the Framework or the Rushcliffe Residential Design Guide 2009. Amongst other things these seek the protection of heritage assets, a positive contribution to the public realm and the reinforcement of valued local characteristics.

Conclusion

12. To provide certainty I have imposed a plans and time-limit condition. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

D. M. Young

Inspector