



Appeal Decision

Site visit made on 11 April 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 May 2022

Appeal Ref: APP/X2410/W/21/3288175

49 North Street, Rothley LE7 7NN

- 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 Company Secretary, Convoy Investments Limited, c/o agent against the decision of Charnwood Borough Council.
 - The application Ref P/21/1836/2, dated 28 July 2021, was refused by notice dated 18 November 2021.
 - The development proposed is described on the application form as 'retention of timber and slate canopy and No. 2 timber doors'.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of timber and slate canopy and No. 2 timber doors at 49 North Street, Rothley LE7 7NN in accordance with the terms of the application, Ref P/21/1836/2, dated 28 July 2021, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: W112(20)01 and W112(20)04 Rev D.

Preliminary Matters

2. It is clear from the application form and my site visit that the development has already been carried out. I have considered the appeal scheme accordingly.
3. I have also dealt with another appeal (Ref APP/X2410/W/21/3278027) on this site. That appeal is the subject of a separate decision.
4. The appellant requested that the appeal be dealt with by way of an informal hearing. However, having considered the criteria contained in Annex K of the Procedural Guide to Planning Appeals, I consider that an informal hearing is not necessary in this case and that the written representations procedure is appropriate.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the host property and the Rothley Conservation Area.

Reasons

6. The appeal property is a two storey brick building located on the western side of North Street within a mainly residential area close to the centre of Rothley. The building was formerly used as a public house and is currently in the

process of being converted to a restaurant with apartments above and an extension has been added to the south side.

7. The Council indicates that the appeal property is a non-designated heritage asset. However, there is no evidence before me to suggest that the building is on an adopted Local List. Accordingly, I have considered the proposal on the basis that it is not a non-designated heritage asset. Notwithstanding this, the building is clearly of some age and traditional appearance which makes a positive contribution to the Rothley Conservation Area (CA) within which it is located. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
8. The character of the CA is derived partly from the close knit pattern of development within a pleasant village setting, and contains attractive two storey red brick and rendered buildings many of which are set hard-up against the pavement. Whilst there are some modern additions and alterations to properties within the CA, in this location the surroundings of the appeal property strongly reflect the historic origins of the village.
9. The appeal proposal relates to works to the front elevation of the building comprising a timber canopy with slate roof and a new timber door to the main entrance of the building and a new door opening with timber door to the northern side, which provides access to the apartments. The use of timber doors is sympathetic to the building and the CA.
10. I understand that the main entrance previously included a portico with pilasters to both sides, a panelled door and lobby. However, the submitted evidence, which includes an historic photograph, indicates that the portico and pilasters were not original features of the building, being made from uPVC which is not a traditional material. Therefore, the loss of these features does not significantly detract from the character and appearance of the building.
11. During my site visit I observed a variety of front canopies in the surrounding area, which tend to be associated with residential properties. The new canopy to the front of the building is a relatively minor addition which is constructed in timber with a slate roof and is of good quality traditional appearance. It is sympathetic to the building and the surrounding area.
12. The newly created door opening with hardwood door to the northern side of the front elevation is situated alongside an existing window opening, an arrangement that is commonly found to terraced properties further along North Street. Its modest proportions and understated design broadly reflect other door openings to the front of properties in the surrounding area and I therefore do not find this aspect of the appeal scheme to detract from the character and appearance of the building or the CA.
13. For the above reasons, I conclude that the development has preserved the character of the Rothley CA. The development therefore complies with Policies CS2 and CS14 of the Charnwood Local Plan: Core Strategy (2015), saved Policy EV/1 of the Charnwood Local Plan (2004), Policies RO1 and RO3 of the Rothley Parish Neighbourhood Plan 2020-2028, the Council's Design Supplementary Planning Document (2020) and the National Planning Policy Framework. Amongst other things, those policies and guidance require

proposals to be of high quality design which respect and enhance local character, including conservation areas.

Conditions

14. The Council have not suggested any conditions. As the development has already taken place, a condition setting out the external materials of the development is unnecessary. I have however, for clarity and enforceability, set out the approved plans.

Conclusion

15. For the above reasons, and subject to the condition specified, the appeal is allowed.

M Ollerenshaw

INSPECTOR