



Appeal Decision

Site visit made on 20 October 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2022

Appeal Ref: APP/P4415/D/22/3298554

**Manor Farm Court, Mill House, Peak Lane, Hooton Levitt, Rotherham
S66 8PL**

- 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 R Nelson against the decision of Rotherham Metropolitan Borough Council.
 - The application Ref RB2022/0117, dated 14 January 2022, was refused by notice dated 11 March 2022.
 - The development proposed is construction of an oak and limestone summer room extension to the rear of Millhouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Policy SP46 of the Rotherham Local Plan Sites and Policies document (RLPSP), Adopted June 2018, features in the Council's reason for refusal. This policy concerns war memorials and so does not appear to be relevant. However, the Council's description of the policy corresponds with that of Policy SP43 of the RLPSP, which is relevant. I have therefore had regard to Policy SP43 in determining this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area, including the setting of the Grade II listed building known as 'Fitz Turgis'.

Reasons

4. The appeal property is a barn conversion in a group that were approved in 2005. The converted barns are set out in a horseshoe arrangement around a central courtyard, including the listed building in the southern corner. They are of limestone construction, featuring predominantly flat front and rear elevations and pantile roofs. To the rear, the appeal property features an unenclosed garden area located adjacent to the wider site entrance. Despite its residential use, the area successfully retains an agricultural character and appearance.
5. The proposal comprises a single storey extension that would project a considerable distance beyond the flat rear wall of the host dwelling, across the open rear garden area. It would sit higher than the existing side offshoot with a higher ridge line. The expanse of glazing to each elevation would give it an unmistakably domestic and more contemporary appearance, at odds with the

largely blank stone gables of the existing dwelling. Due to its position and lack of screening, the proposal would be prominent in views along the site access and towards the listed building. It would disrupt the linear nature of the existing buildings and obscure views of the neighbouring barn conversions.

6. While the appeal proposal in isolation appears to be a high-quality design with sympathetic finishing materials, in its context I find that it would ultimately detract from the preserved agricultural character and appearance of this collection of converted barns. These buildings and the wider site are well related to the listed building, given their shared former use, and form part of its immediate setting. It therefore follows that the proposal would also harm the setting of the listed building.
7. I recognised there is an existing domestic rear extension at the dwelling opposite. The full planning history of this dwelling and its attached neighbour are not before me. However, in plan form, the two do not appear to form part of the original set of converted barns. They have a different, more conventional residential footprint, with elongated rear gardens. On my site visit I saw they were more domestic in appearance, including hipped roofs, traditional domestic front doors and larger windows with prominent stone window surrounds. The listing description for 'Fitz Turgis' refers to these as a farmhouse. The character of these two dwellings therefore appears domestic by design and distinct from the preserved agricultural character of the converted barns. Their contribution to the character of the area and the setting of the listed building is therefore not directly comparable to the appeal property and, ultimately, each proposal must be considered on its own merits.
8. Based on the proposed plans, the proposal would result in the removal of a single full height glazed window in the rear elevation of the host dwelling. This window is discreet and has limited impact on the character and appearance of the host dwelling and surrounding area, or the setting of the listed building. Its removal would therefore not outweigh the identified harm
9. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) requires special regard to be had to the desirability of preserving a listed building or its setting. Paragraph 199 of the National Planning Policy Framework (the Framework) indicates that great weight should be given to the listed building's conservation, as a designated heritage asset.
10. I conclude that the proposal would harm the character and appearance of the host dwelling and surrounding area, including the setting of the Grade II listed building known as 'Fitz Turgis'. It would therefore not accord with the clear expectations of Section 66(1) of the Act. The proposal also conflicts with Policy CS23 of the Rotherham Local Plan Core Strategy 2013-2028, Adopted September 2014, and Policies SP40 and SP43 of the RLPSP. These policies, amongst other things, seek to conserve and enhance the significance and setting of heritage assets, including listed buildings.
11. The proposal is also contrary to paragraph 130 of the Framework, in respect of its aims of ensuring development is sympathetic to local character and history, and maintains a strong sense of place. With respect to paragraph 202 of the Framework, less than substantial harm would be caused to the significance of the listed building by virtue of harm to its setting. The proposal would be advantageous to the appellant, supporting their enjoyment and use of the property and adding to its value. However, there is no evidence before me to

indicate the long-term survival of the building would be contingent on this extension or that there would be any other public benefits to outweigh the identified harm.

Conclusion

12. The proposed development conflicts with the development plan when considered as a whole, and there are no material considerations that outweigh the identified harm and associated development plan conflict. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR