



Appeal Decision

Site visit made on 20 December 2022

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd December 2022

Appeal Ref: APP/T3725/D/22/3303779

Hope Barn, Dalehouse Lane, Kenilworth, Warwickshire CV8 2JZ

- 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 L Tibbatts against the decision of Warwick District Council.
 - The application Ref W/22/0411, dated 7 March 2022, was refused by notice dated 19 May 2022.
 - The development proposed is described as "resubmission of previously refused application - W/21/0149 Erection of single storey extension".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host building.

Reasons

3. The appeal property forms part of a small group of buildings in a countryside location. It is a former agricultural barn of a traditional style and constructed of brick and clay roof tiles. Hope Barn is now clearly a residence with a garden to the rear including a patio and domestic paraphernalia. However, the building's simple and largely linear form strongly indicates its previous agricultural use. This impression is reinforced by the large, glazed area to the rear of the property, which indicates a typical tall opening to the former barn.
4. The proposed extension would connect via a glazed link to the aforementioned glazed area in the rear of the property. It would not be easily viewed from off the appeal site due to a wall on the common boundary with the adjoining dwelling and vegetation on the boundaries with adjacent fields. Nonetheless, the extension would be seen with the existing dwelling from the appeal property's garden.
5. The proposed development would have a flat roof with external walls of charred timber cladding. The appellant suggests the addition could be construed as a former stable block but its modern appearance would be strikingly different to the brick and pitched tile roof of the existing residence. As such, it would fail to meaningfully reflect the traditional rural character of Hope Barn.
6. Moreover, the extension would project out at right angles to the rear elevation and so it would go against the linear form of the building. Photographs show that, prior to its conversion to a dwelling, additions to the barn disrupted its

simple form. However, these have since been removed so that the original shape and style of the building is now readily appreciated. The proposed addition would undermine the simple configuration of the building as it stands.

7. The proposal would not affect the front of the property and so it would have a localised visual effect. Even so, the rear of Hope Barn retains a sense of its agricultural origins and so it contributes positively towards the rural context. The addition would significantly detract from this character by reason of its incongruous design and positioning at odds with the linear form of the building. As such, it would be an unsympathetic extension.
8. The appellant states that the development would comply with policy BE1 of the Warwick Local Plan 2017 (LP). This is not referenced in the Council's refusal reasons but the Council officer's report says the proposal fails to comply with LP policy BE1. This policy sets out an expectation that development will reflect and reinforce local architectural distinctiveness. It applies to all development and not just that which affects listed buildings or conservation areas. The proposal has been purposefully designed to contrast with the traditional style of the appeal property and so it would not meet the expectation as set out in LP policy BE1.
9. The appellant claims that numerous contemporary style extensions have been added to listed buildings with specific reference to an addition at 1 Clarendon Place. Little information on this proposal or on any other example has been provided and so I am unable to draw accurate comparisons with the appeal scheme. Therefore, I am unable to conclude that any other permitted development sets a precedent that I am bound to follow in the determination of this appeal.
10. I understand that a Council officer provided pre-application advice that a modern extension may be a more favourable proposal. However, it is unclear from the submissions as to the basis for this advice. In any case, it does not appear to commit the Council to grant planning permission for the appeal scheme. As such, this factor fails to affect my views on the proposal.
11. The extension would be single storey and relatively small compared to the size of the existing building. Therefore, it would not conflict with LP policy H14 which specifically resists disproportionate additions to dwellings in the open countryside. The explanatory text to this policy states the Council is extremely unlikely to allow extensions to barn conversions. However, this statement does not form part of the policy itself and so it is not determinative in my assessment of the proposal.
12. LP policy BE4 is referred to by the Council in support of its concerns. However, this policy is irrelevant as it relates to proposals to re-use and adapt rural buildings rather than extensions to buildings that have already been converted. Moreover, I am taken to no part of the Council's document on Agricultural Buildings and Conversion that supports its objections. Therefore, this policy and the referred to guidance fail to influence my views on the proposal.
13. Nonetheless, for the reasons given above, I conclude the proposed development would have a harmful effect on the character and appearance of the host building. In these regards, it would not accord with LP policy BE1.

Other Matters

14. The site lies in Green Belt although the Council raises no objections to the proposal in these regards. I find no reason to arrive at a different view on this matter. Acceptability in these respects is a neutral factor in my assessment.
15. There is little evidence to demonstrate it is likely that similar developments would be repeated at other converted barns in the event that I allow the appeal. Therefore, the Council's concern that the proposal would set a precedent if allowed fails to influence my consideration of the scheme.
16. The appellant hopes that the proposal would adapt the outlook from the property so as to reduce the impact of the HS2 railway that is under construction to the west of the appeal site. The proposal would also increase the amount of internal accommodation so as to facilitate extra family members living at the property. I note the support for the proposal from interested parties. However, there is little evidence to show the appeal scheme is the only way of addressing the appellant's requirements. Accordingly, the points in support of the scheme attract only limited weight and fail to outweigh the identified detriment that would be caused by the development.

Conclusion

17. The harm caused by the proposal on the character and appearance of the host building means that it would not accord with the development plan policies when considered as a whole. There is insufficient justification to grant planning permission contrary to the development plan. Therefore, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR