
Appeal Decisions

Site visit made on 29 November 2022

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2023

Appeal Ref: APP/X2410/W/22/3295249

120 Main Street, Swithland, Loughborough, LE12 8TH

- 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 David Rhys & Alysha Johnson against the decision of Charnwood Borough Council.
 - The application Ref. P/21/1096/2, dated 26 April 2021, was refused by notice dated 4 March 2022.
 - The development proposed is a two-storey rear extension, following demolition of the existing extension.
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Appeal Ref: APP/X2410/Y/22/3295254

120 Main Street, Swithland, Loughborough, LE12 8TH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by David Rhys & Alysha Johnson against the decision of Charnwood Borough Council.
 - The application Ref. P/21/1098/2, dated 12 May 2021, was refused by notice dated 4 March 2022.
 - The works proposed are a two-storey rear extension, following demolition of the existing extension.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. The appeal proposals were altered during the course of the planning application and the Council made its decision on the basis of the amended plans. However, the description of the proposed works was not altered to omit reference to the lowering of the existing ground floor level, which no longer forms part of the scheme. I have considered the amended scheme that was before the Council and have altered the description above to accurately reflect the proposals.
3. As the proposal is in a conservation area and relates to a listed building I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are whether the proposal would preserve a Grade II listed building, 118, 120 and 122 Main Street, and any of the features of special

architectural or historic interest that it possesses, and the extent to which it would preserve or enhance the character or appearance of the Swithland Conservation Area.

Reasons

Listed building

5. The appeal property stands within a long terrace comprising three cottages dating from c1800. They are former worker's dwellings constructed from slate and granite rubble stone with brick eaves, Swithland slate roof and substantial chimney stacks. The special interest of the building, in so far as it relates to the appeals, is in the locally quarried materials and modest plan form associated with their past function as worker's dwelling.
6. A modest two storey extension has already been added to the rear of No.120, which is in brickwork that has been painted white and has been crudely attached to the existing property, hard up against the edge of rear window openings and with a higher eaves level. The existing extension, dating from around the 1970's, is of little architectural or historic interest and its removal would not harm the listed building.
7. However, the proposed extension would be much larger than that existing, being both wider and deeper. It would significantly extend into the small rear garden, perpendicular to the existing terrace. This would disrupt the linear plan form of the building and vastly increase the size of the property, diminishing its modest appearance and proportions. The proposed modern design approach and materials suggested would help in distinguishing the extension from the robust stone and slate of the existing building. However, the size of the extension proposed would dominate the rear of the building and detract from it.
8. I acknowledge that removal of the existing extension would provide an opportunity to replace it with something more sensitive, but that would not be achieved by the current appeal proposals.
9. The harm arising would be less than substantial in the terms of the National Planning Policy Framework (the Framework) but is nevertheless of considerable importance and weight. I note the appellants' desire for greater living space but that would be a private benefit rather than a public one, albeit that the additional space would also be available for future generations. There would be a minor economic benefit during construction, for local builders and trades people, but this attracts only limited weight as a public benefit given the scale and nature of the proposal and is not sufficient to outweigh the harm that I have identified.
10. I have had regard to the large extension to the rear of No.118 but this does not alter my conclusions having considered the merits of the current appeals. That extension is located within a larger plot and the harm arising to the listed building does not justify further harm.
11. As such, I find that the proposal would fail to preserve the special architectural and historic interest of the listed building. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policies CS2 and CS14 of the Charnwood Core Strategy (2015) (CS) and policy EV/1 of the Borough of Charnwood Local Plan (2004) (LP) that seek, among

other things, to ensure good design and the preservation or enhancement of heritage assets. As a result, the proposal would not be in accordance with the development plan.

Conservation area

12. The Swithland Conservation Area covers much of the village and its special interest is found in its linear form, the distinctive architecture, extensive use of local materials and association with the estate which shaped the settlement.
13. The proposed extension would not be prominent and would not be seen in key views identified within the Conservation Area Appraisal, but it would be visible in glimpsed views from Leicester Lane and from neighbouring properties. It would be seen as a disproportionate addition to the former worker's dwelling and whilst it would be only a small component of the conservation area, it would nonetheless detract from its character and appearance.
14. Consequently, there would be less than substantial harm to the conservation area and this attracts considerable importance and weight. The public benefits identified would not be sufficient to outweigh this harm.
15. As such, I find that the proposal would fail to preserve the character and appearance of the Swithland Conservation Area. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policies CS2 and CS14 of the CS and policy EV/1 of the LP that seek, among other things, to ensure good design and the preservation or enhancement of heritage assets. As a result, the proposal would not be in accordance with the development plan.

Conclusion

16. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR