



Appeal Decision

Site visit made on 15 March 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 May 2023

Appeal Ref: APP/X2410/D/22/3313864

Aldermans Haw, Charley Road, Ulverscroft, LE12 8SY

- 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 and Mrs Wright against the decision of Charnwood Borough Council.
 - The application Ref P/21/2123/2, dated 27 September 2021, was refused by notice dated 20 October 2022.
 - The development proposed is a two-storey rear extension to existing dwelling house.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs Wright against Charnwood Borough Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the existing dwelling.

Reasons

4. Aldermans Haw is a large detached dwelling, which is situated in spacious surroundings in the countryside. It is accessed via a relatively long private driveway and the property is not visible from the road or any other public areas. The original dwelling and associated buildings are laid out in a rectangular courtyard form, with the rear elevation presenting a traditional 'farmhouse type' appearance.
5. Although the appellants show that the property has been altered and extended over the years, I consider the courtyard arrangement and the linear form of the rear elevation, coupled with its varying roof heights, which provide relief and interest, are distinctive and important characteristics of the property.
6. The appeal proposal is to construct a two-storey extension that would be 4.5m in width and project out a maximum of 8.5m (according to the Council Officer's report), although the main bulk of the extension would be 7.4m deep.
7. The appeal property is not a designated heritage asset, nor is it included in the Council's Local List. Notwithstanding, the Council considers that it has sufficient historic and architectural merit to be regarded as a non-designated

heritage asset. The officer's report points to evidence of the building dating back to the 13th century, when part of the original house was a small religious establishment. The appellants refute the opinion of the Council and have submitted a detailed Heritage Impact Assessment and a Statement of Heritage Significance which, in their opinion, demonstrates there is no special heritage significance and, in that regard, the Council's reasoning and conclusion is not justified.

8. The Council's decision notice contains two reasons for refusal. The first reason specifically concerns the impact of the proposal on the heritage significance of Aldermans Haw. It cites conflict with Policy CS14 of the Charnwood Local Plan Core Strategy 2011-2028 (CS). This seeks to ensure that heritage assets are conserved and enhanced.
9. Policy CS14 of the CS relates to designated heritage assets and to assets identified by the Council, such as locally listed buildings. Whilst it does not specifically refer to non-designated assets, in my opinion they are not precluded from consideration under the policy, as 'locally listed buildings' are only given as an example of assets identified by the Council. Consequently, there could be other heritage categories that the Council may identify. These other categories could reasonably include non-designated heritage assets.
10. The second is a more general reason concerning the design, scale and siting of the extension and its effect on the character and layout of the building. The Council contends that the proposal conflicts with Policies CS2 of the CS and Saved Policies EV1 and H17 of the Borough of Charnwood Local Plan 1991 - 2006 (LP). These policies generally require the design of new developments to be of high quality and that residential extensions are compatible in scale, mass, design and use of materials with the original dwelling. Further guidance on achieving high quality design is contained in the Council's Supplementary Planning Document – Design 2020. I consider these policies and guidance accord with paragraph 130 of the National Planning Policy Framework 2021 (The Framework).
11. Whether or not a building can be regarded as a non-designated heritage asset is largely subjective and is a matter of opinion based on judgement and analysis. I have considered the appellants' detailed rebuttal of the Council's opinion carefully, but given the age, history, form and appearance of the building, I am satisfied that the appeal property can be regarded as a non-designated heritage asset and that the Council's approach is justified and reasonable.
12. Notwithstanding the above, alterations and extensions to a non-designated heritage asset can be acceptable, but the main consideration is the effect of the proposal on the character and appearance of the property and on any areas of significance.
13. The proposed extension would project forward of the rear elevation by a considerable distance and, in that regard, it would not respect the existing rectangular form and layout of the appeal property. I consider that it would appear as an incongruous and disruptive feature that would be harmful to the character and appearance of the dwelling, because of its length, height and overall mass. Therefore, the proposal conflicts with the policies of the Development Plan and with the provisions of The Framework, as referred to above.

14. Whilst I recognise the benefits of the proposed extension to the appellants by the provision of additional accommodation, I am not persuaded that these or any other benefits outweigh the unacceptable harm that I have identified.

Conclusion

15. For the reasons given above, it is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR