



Appeal Decision

Site visit made on 22 January 2024

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2024

Appeal Ref: APP/A2470/W/23/3321168
22 and 24 Northgate, OAKHAM LE15 6QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr Brian Garrity against the decision of Rutland County Council.
 - The application Ref 2022/0846/FUL, dated 27 July 2022, was refused by notice dated 3 February 2023.
 - The development proposed is installation of 4 number conservation type velux roof windows to the front elevations of the properties.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the Council has refused Listed Building Consent for the works to the appeal building. There is though no associated appeal against that refusal. I have therefore proceeded on that basis.
3. As the appeal building is a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. Since the application was determined, a revised National Planning Policy Framework (Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework and new paragraph numbers in reaching my decision.

Main Issues

- the effect of the development on the special architectural and historic interest of the listed building.

Reasons

Significance

5. Nos 22 and 24 Northgate are two attached listed buildings grade II. They are houses dating from the mid eighteenth century constructed from red brick with brick eaves cornice, stone plinth and a stone slate roof. The principal elevation sits at the back edge of the pavement facing Northgate, presenting symmetrical fenestration.

6. The significance of the building for the purposes of this appeal is largely derived from its historical and architectural interest with surviving original materials and intact features as a good example of eighteenth century housing in Oakham. It sits within a street of historic and modern buildings of a variety of forms, but most in good condition with few additions or alterations.

Effect on significance

7. The proposed rooflights would be installed on the north facing roof slope on Northgate. The existing timber roof beams and purlins would not be affected by the works. Nevertheless, although sited to maintain symmetry, the rooflights would form new openings on an otherwise uninterrupted roof face. Even though conservation roof lights, they would still create a visible presence on the principal elevation which would detract from, and interrupt, the simple historic stone slate roof, creating a top heavy form of development which would be harmful to the traditional appearance of the appeal building. The rooflights would be a prominent feature in the street of properties, where rooms in the roof are mostly marked by small dormer extensions, not rooflights.
8. The appellant has drawn my attention to a number of listed properties which have small rooflights¹. However, I am not aware of the circumstances which led to the presence of these rooflights. In any case, I saw that their presence, on a very small number of properties elsewhere in Oakham, does not alter the character of the part of the street where the appeal site is located with Northgate Farmhouse being some distance away.

Public benefits and balance

9. Paragraph 205 of the Framework advises that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
10. Given the extent of the works relative to the building, I find the harm to the listed building to be 'less than substantial' in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
11. The rooflights are required to allow better use of the roof space. However, I understand planning permission has been granted for a rear dormer and rooflight to both properties. Therefore, there is no substantive evidence before me to suggest that the properties would not continue to be occupied and used as dwellings if the current proposal was not implemented.
12. There would be minor economic benefits from the purchase and installation of the rooflights however these would be insufficient to outweigh the considerable importance and weight I attach to the harm I have identified.
13. For the reasons above I conclude that the proposal would fail to preserve the Grade II listed building, 22 and 24 Northgate, or any features of special

¹ 18-20 Church Street, Northgate Farmhouse and 45 High Street

architectural or historic interest which it possesses, contrary to the requirements of section 66(1) of the Act and the relevant provisions within the Framework which seek to conserve and enhance the historic environment. The proposed works would also conflict with Policies CS19 and CS22 of the Rutland Local Development Framework Core Strategy Development Plan Document (2011) and Policies SP15 and SP20 of the Rutland Local Plan Site Allocations & Policies Development Plan Document (2014), Supplementary Planning Document - Design Guidelines for Rutland (2022), and Policy 6 of the Oakham and Barleythorpe Neighbourhood Plan 2018-2036 (2022). Together these require that development is of good design that has regard to the significance of heritage assets and protects, and where possible enhances, historic assets contributing positively to local distinctiveness.

Conclusion

14. For the reasons above the appeal is dismissed.

Zoe Raygen

INSPECTOR