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# Appeal Decision

Site visit made on 8 April 2024

**by Hollie Nicholls MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 April 2024.**

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**Appeal Ref: APP/R3325/D/24/3336516**

**Goose Hill Barn, Back Lane, Bower Hinton, Martock, Somerset TA12 6LJ**

- 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 Mrs Carol Boshier against the decision of Somerset Council.
  - The application Ref 23/01642/HOU, dated 21 June 2023, was refused by notice dated 8 November 2023.
  - The development proposed is replace existing defective glass roof tiles on eastern elevation with 2No. conservation roof lights.
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## Decision

1. The appeal is allowed and planning permission is granted for replacement of existing defective glass roof tiles on eastern elevation with 2No. conservation roof lights at Goose Hill Barn, Back Lane, Bower Hinton, Martock, Somerset, TA12 6LJ, in accordance with the terms of the application, Ref 23/01642/HOU, dated 21 June 2023, subject to the conditions in the attached schedule.

## Main Issues

2. The main issues are the effects of the proposal on the character of the host building and whether it would preserve or enhance the character or appearance of the Bower Hinton and Martock Conservation Area (CA).

## Reasons

3. The appeal dwelling is a former barn, now converted, one and a half storeys in height. It is constructed from stone and has red clay roof tiles. Its east elevation faces on to Back Lane and has a single storey lean-to element adjacent to the road, which has a recessed entrance door and separate full height glazed opening. The roof plane over the single storey lean-to has two areas of glazed roof tiling to allow light into the building.
4. The Council's decision notice refers to the setting of the CA. However, the statutory duty under S72(1) of the Listed Building and Conservation Areas Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA is engaged because the site forms a part of the CA, rather than part of its setting.
5. The combined CA of Bower Hinton, Hurst and Martock displays a variety of special qualities. Bower Hinton and Hurst incorporates a range of domestic buildings from the seventeenth and eighteenth centuries, some of which are former agricultural buildings, now converted. The largely ham stone construction of the buildings and their informal positioning around a network of lanes helps the area to maintain a distinctly rural character. This area contrasts

with the more linear areas of Hurst and north towards Martock. There are a significant number of listed buildings of fine quality throughout the CA, three of which are found in close proximity of the appeal site. Their age is around C17-C18 and they are all good surviving examples of the vernacular style of building in the area from that time. Their settings include the streetscene of Back Lane and nearby buildings.

6. The appeal building presents a wide, relatively inactive frontage to the street, with two uncluttered roof planes and two simple recessed openings with external timber shutters at street level. Its simple form, agrarian character and largely traditional materials contribute positively to the character and appearance of the CA.
7. From the evidence, the glass roof tiles, clustered into two openings on the eastern lean-to roof, were in existence prior to the building's conversion to a dwelling around 1996/97. The openings have a secondary glazed frame on the underside of the roof and a sealant layer in between, which I saw had degraded. The evidence indicates that numerous repairs have been made to the glass tiled openings since the conversion was originally undertaken. The evidence details issues with weathering, damp penetration and ingress of water through the glass tiled openings which renders the affected room relatively uninhabitable.
8. The proposal would replace the glass tiles with conservation-style rooflights of broadly the same dimensions. The precise specification of the rooflights could be secured by way of planning condition as the submitted details are limited in this regard.
9. The character of the building is still strongly agrarian due to its form, position in relation to the road, limited openings and materials. The formalisation of the two openings in the lean-to roof with conservation-style rooflights would add a minor degree of domestication. However, it is now a building with a domestic function which has surprisingly few openings or modern interventions in the eastern elevation. That the rooflights would replace existing glass tiled openings would, in my view, represent an acceptable evolution of the building to bring it up to the expectations of modern day living and allow for the building to be usefully maintained to enhance its longevity. There would only be two in number and they would not introduce any further clutter to the roof plane.
10. In the same way that the glass tiled openings are visible from the street scene, the replacement conservation-style rooflights would be too. Whilst glass tiles are also a feature of buildings throughout the CA, conservation-style rooflights also appear regularly. Though the rooflights would also be visible from areas in the vicinity of nearby listed buildings, including Roselea, Brock Cottage and Bankside, my view is that such a modest change would not undermine the cohesion or significance of the CA or the individual settings of the aforesaid listed buildings, thus preserving their respective significance.
11. In drawing together the above, my view is that the proposal would not harm the character of the host building and would preserve the character and appearance of the CA. Consequently, the proposal accords with Policies EQ2 and EQ3 of the South Somerset Local Plan (2015) which, amongst other things, seek to ensure development respects local character and safeguards, or where

appropriate, enhances the significance, character, setting and local distinctiveness of heritage assets.

### **Conditions**

12. In addition to the statutory time limit, a condition is necessary to specify the approved plans in the interests of certainty.
13. In order to ensure the rooflights are of an acceptable conservation-style specification, a condition is necessary for details to be submitted prior to their installation.
14. Whilst the Council has specified a materials condition, the aspects of the building that will be changed is to be sought by way of condition 3 and no other materials would change. This condition is therefore unnecessary.

### **Overall conclusion**

15. For the foregoing reasons, the proposal accords with the development plan and there are no considerations of such materiality that indicate that a decision should be taken otherwise than in accordance therewith.
16. Consequently, the appeal is allowed.

*Hollie Nicholls*

INSPECTOR

### **SCHEDULE OF CONDITIONS**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan, scale 1:1250
  - Proposed Roof Plan, scale 1:100, received 6 November 2023
- 3) No work shall be carried out to fit the rooflights hereby permitted unless details of the units have been submitted to and agreed in writing by the Local Planning Authority. Such details to include the size, Manufacturer/model, colour and finish of the rooflights which shall be metal "conservation" lights, top hung and flush with the roof covering.  
  
The development shall be implemented in accordance with the approved details and retained as such thereafter.