



# Appeal Decision

Site visit made on 8 April 2024

**by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS**

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

**Decision date: 20 May 2024**

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**Appeal Ref: APP/R1010/D/23/3327757**

**The Granary, Stony Houghton, Derbyshire NG19 8UH**

- 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 M Darley-USmar against the decision of Bolsover District Council.
  - The application Ref 23/00213/FUL, dated 20 April 2023, was refused by notice dated 9 June 2023.
  - The development proposed is a single storey rear sun room.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The revised National Planning Policy Framework ('the Framework') was published on 20 December 2023 after the appeal had been made. However, as no changes were made to the conserving and enhancing the historic environment section of the Framework, and the other changes that were made are not material to this decision, the cases of the parties have not been prejudiced by not being able to comment on the revised Framework. I have therefore determined the appeal on the basis of the statements and comments that have been received.

## Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of Stony Houghton Conservation Area and The Granary.

## Reasons

4. The Framework is an important material consideration. It identifies that heritage assets are an irreplaceable resource. Paragraph 205 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation. In relation to non-designated heritage assets (NDHAs), such as The Granary, the Framework advises at paragraph 209 that the effect of an application on its significance should be taken into account.
5. The appeal site is located within Stony Houghton Conservation Area. In the exercising of planning functions the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. Of the various development plan policies cited in the Council's reason for refusal, I consider policies SC16, SC21 and SC2 to be relevant to the main issue. Policy SC16 of the Local Plan for Bolsover District ('Local Plan') requires the protection of the character and appearance of a Conservation Area through high quality design that respects local design features. Policy SC21 of the Local Plan requires that new development positively sustains or enhances the significance of a non-designated local heritage asset. Policy SC2, amongst other matters, requires that new development conserves heritage assets.
7. The supplementary planning document 'The Historic Environment' (SPD) is also relevant. It advises that extensions will not normally be granted to agricultural buildings converted to residential use.
8. The Conservation Area covers the majority of the hamlet of Stony Houghton and contains well designed, older and historic buildings that reflect the agricultural heritage of the settlement. Simple, gable-ended, unadorned buildings with a narrow rectangular plan form predominate and are a key part of the Conservation Area's character and appearance. The use of local stone and pantiles is also a common feature. The significance of the Conservation Area is therefore architectural and historical.
9. The Granary forms part of a former agricultural building that has been converted to residential use. With a plan form and shape typical of the Conservation Area, and constructed from local stone with a pantile roof, it forms part of the rural agricultural character of the Conservation Area. Identified as a non-designated local heritage asset its significance is also architectural and historical.
10. At present the careful residential conversion of the agricultural building, of which The Granary forms a part, has retained much of its agrarian character. The proposed single storey extension with large areas of glazing projecting off the rear elevation of the property would be a clear residential addition which would overtly domesticate the building and harmfully erode its agricultural character and appearance. This harm would be readily visible in the bucolic open views of the building from the public footpath which approaches the appeal site from the north. It would also be visible in closer views heading along the footpath in the opposite direction as it passes the rear garden to this dwelling and its attached neighbour. As a result, the proposal would have a detrimental adverse effect on the character and appearance of the building and the Conservation Area as a whole.
11. Permitted development rights have been removed in relation to the property. If permission is not granted for an extension, the appellant states that 'pop-up' gazebos or mobile garden rooms may instead be used. However, as they would be clearly separate to the building and would not form part of it, they would not cause the same degree of harm to the heritage assets. As a result, reference to this consideration does not alter my findings in relation to this issue.

### **Other matters**

12. In support of the appeal, the appellant states that the lounge is frequently dark and that only limited views of the attractive countryside to the rear are possible through its windows. On the basis of the submitted plans and my observations, the south facing elevation of the house contains a number of windows serving

the lounge area, two of which are particularly tall. Given the building's narrow rectangular plan form, and in the absence of any substantive evidence submitted to the contrary, the size of windows and their orientation would be sufficient to provide acceptable levels of daylight and sunlight within this room. In terms of outlook, the glazing referred to provides views to the south and glazing within the northern elevation provides views of the countryside to the rear. The room therefore has an acceptable outlook.

13. I recognise that the appellant would like to have higher levels of natural light within his home and wishes to enjoy better views of the countryside from within it. However, as the dwelling provides acceptable living conditions with regard to light levels and outlook, these matters are of private rather than public interest. Accordingly, I attach little weight to them in favour of the appeal.

### **Planning Balance**

14. The harm caused by the proposed development to the significance of Stony Houghton Conservation Area would be less than substantial. In such circumstances, paragraph 208 of the Framework advises that the harm that would be caused should be weighed against the public benefits of the proposal. In relation to NDHAs, such as The Granary, paragraph 209 of the Framework advises that a balanced judgment will be required having regard to the scale of any harm and the significance of the heritage asset.
15. For the reasons given above, the proposed development would harm the Conservation Area and the significance of The Granary. In accordance with the statutory duties described, I attach considerable importance and weight to the harm that would be caused to the significance of Stony Houghton Conservation Area. On the other side of the balance, the proposal would provide some construction employment. It would also provide a thermally efficient extension that would increase the internal living space of the house to the benefit of the housing stock in the district of Bolsover. I attach limited weight to these public benefits of the scheme.
16. Taking all these matters into account, my conclusion is that the public benefits do not outweigh the harm that would be caused to Stony Houghton Conservation Area. Similarly, I conclude that the harm and loss of significance that would be caused to The Granary as a NDHA would be material and would not be outweighed by the benefits of the proposal. The proposal would therefore be contrary to a policy of the Framework, as well as failing the statutory test and being contrary to policies SC16 and SC21 of the Local Plan and the SPD.

### **Conclusion**

17. With the use of local stone, and the possibility of requiring higher levels of thermal insulation than required by Building Regulations, the proposed extension would be sustainably designed and constructed in compliance with some of the criteria of policy SC2 of the Local Plan.
18. The proposal though would harm the significance of a Conservation Area and a NDHA, contrary to policies SC16 and SC21 of the Local Plan and a criterion of policy SC2. As a result, I find that the proposed development would be contrary to policy SC2 considered as a whole as well as the development plan considered as a whole.

19. The other considerations put forward in favour of the proposal are insufficient to outweigh the harm that would be caused and non-compliance with the development plan. Material considerations therefore do not indicate that the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

*Ian Radcliffe*

Inspector