

Appeal Decision

Site visit made on 18 July 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/J1860/D/24/3344228

Lily Barn, Oldbury Farm, Oldbury Road, Lower Broadheath, Worcester, WR2 6RQ

- 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 Richard Aldridge against the decision of Malvern Hills District Council.
 - The application Ref is M/23/01358/HP.
 - The development proposed is a new single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a new single storey rear extension at Lily Barn, Oldbury Farm, Oldbury Road, Lower Broadheath, Worcester, WR2 6RQ in accordance with the terms of the application Ref M/23/01358/HP subject to the conditions set out in the attached Schedule.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property.

Reasons

3. The appeal property is a dwelling, one of several comprised within the adjoining and adjacent red-bricked converted barns. The conversions took place pursuant to a planning permission granted in 1991. One of the conditions imposed on the consent removed permitted development rights so that the Council could retain control over any future development '*to ensure the character of the building is retained*'.
4. In describing the site, the officer report states:

The application site relates to a previously approved barn conversion. The dwelling is constructed of brick with a pitched roof and large amount of glazing to the east elevation, set within a large plot. The dwelling is located outside of the defined development boundary within a rural setting. As the barns appear on the epoch first edition map 1843-93. As such, the building is considered to be a non-designated heritage asset.
5. No reference has been made to a local list of non-designated heritage assets, should one exist. However, the Council is entitled to designate buildings, not previously identified as heritage assets during the determination of a planning application affecting it. But it is also reasonably expected to explain what it

regards as the significance of the heritage asset when determining an application¹. That such an exercise has been undertaken is not immediately discernible in the officer report. Nor does the officer report clearly explain the extent of the designation, that is, is it limited to the appeal property or does the designation cover the former barns as a totality?

6. If the latter, the Council acknowledges that adjoining dwellings have been extended but that these in its view *'have spoilt the linear form of the agricultural barns'*. The Council says that these extensions are historical in the sense that the extensions were approved about 10 years before the current development plan was adopted and prior to the first publication of the Framework. Nevertheless, to my mind, the extensions exist as a matter of fact and should thus necessarily be taken into account in assessing the significance of the former barns as a whole.
7. If on the other hand the designation is limited to the appeal property, it is the case that it has not been previously extended. However, whilst the original conversion was tastefully done, the former barn has been subject to significant change in appearance not least taking account of the large, glazed openings now apparent. The Council acknowledges that the extension would be subordinate in scale but considers it to be *'quite domesticated'*. In addition, the officer report says:

'As the proposed extension has a lot of glazing on the east elevation, it is considered to detract from the main architectural feature of the dwelling which is the large amount of existing glazing to the east elevation'.

8. The reasoning behind this statement is not immediately apparent.
9. To my mind, the extension proposed is of modest proportions and designed to conform with the distinctly contemporary appearance of the appeal property's main eastern elevation. It would fit in unobtrusively not only with the host property but with the other adjoining dwellings, including those previously extended. No harm would occur to what has been loosely described as the significance of the non-designated heritage asset. In view of the visually sheltered position of this part of the building, the extension would hardly be discernible from outside the site.
10. I therefore conclude that the proposal, if built, would sit acceptably in its visual and spatial contexts without harming the character and appearance of the host property. Accordingly, no material conflict arises with the main objectives of policies SWDP6², SWDP21 and SWDP24 of the South Worcestershire Development Plan, since the extension is of a high-quality design, conserving a heritage asset, integrating effectively with its surroundings, and in keeping with the architectural characteristics of the original property and its surroundings.

Conditions

11. The Council's suggested condition that the development shall be carried out in accordance with the approved plans shall be imposed in the interests of

¹ National Planning Policy Framework (December 2023) paragraph 290 (The Framework)

² I note that part B (i) of this policy is directed to those assets *'As identified in local lists and heritage assets recorded in Historic Environment Records'*. No reference to a local list or Records is made in the officer report on the application.

certainty, as will a condition relating to materials, in the interests of visual amenity.

Other matters

12. I have taken account of all other matters raised, including the Council's references to the applicable Design Guide³, but no other matter raised is of such strength or significance as to outweigh those considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used on the external surfaces of the development hereby permitted shall match those of the existing dwelling.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: Ref:1262 PL01 Rev.A; 1262 PL02 Rev.A; 1262 PL03 Rev.A; 1262 PL04 Rev.A; 1262 PL05 Rev.A; 1262 PL06 Rev.A & 1262 PL07 Rev.A.

³ South Worcestershire Design Guide Supplementary Planning Document (March 2018)