



Appeal Decision

Site visit made on 14 August 2024

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2024

Appeal Ref: APP/T3725/D/24/3340211

Dragon Yard, Church Lane, Barford, Warwickshire CV35 8ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Barry Geaney against the decision of Warwick District Council.
 - The application Ref is W/23/1488.
 - The development proposed is the erection of new bin store.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of new bin store at Dragon Yard, Church Lane, Barford, Warwickshire CV35 8ES in accordance with the terms of the application, Ref W/23/1488, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Existing & Proposed Plans & Elevations – Drawing No: 4132-03B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to its installation, details of the door, including materials, finish and detailed design, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main Issues

2. The main issues are whether the proposed development would preserve the setting of the Grade II listed building, Dragon Yard; and whether it would preserve or enhance the character or appearance of the Barford Conservation Area.

Reasons

3. Dragon Yard is an attractive Grade II listed 17th century timber framed barn which has been converted to a dwelling. It is 2 storey, with a pitched tiled roof and includes in part, brick infill panels, and a brick gable with a modern chimney stack to the flank elevation. From the evidence before me, the special interest and significance of the listed building, insofar as relevant to this

proposal, are largely derived from its architectural and historic interest. The building is experienced within the setting of the surrounding residential development, including car parking, a pitched roof garage and flat roof garage block off set from the rear of the property, with an intervening brick boundary wall containing a gated opening which provides access to the rear garden.

4. The site is located within the Barford Conservation Area (the CA). The significance of the CA is mainly derived from the quality and mixture of historic buildings and their relationship to each other and the surrounding streets. The listed building occupies a prominent corner plot, whereby both the front and side elevations of the building are visible from Church Lane. As such, it contributes positively to the character and appearance of the area and the significance of the CA as a heritage asset.
5. The appeal proposal would see the erection of a bin store, formed by the construction of 2 sections of brick wall, which alongside the existing garden wall and side elevation of the garage would create an enclosed area. It would be located on an existing area of hardstanding to the rear of the listed building and accessed by a pedestrian door to the front wall and from the rear garden of the property through an existing opening in the boundary wall.
6. The bin store would be of a simple form, designed to meet the functional requirements of the appellant. It is modest in scale, lower in height and not dissimilar in appearance to the existing boundary wall that runs between the house and garage. Although it would be seen in the same context as the listed building, due to its position, set back from the side gable, and overall scale, the structure would not interfere with views of the side elevation of the host dwelling, nor would it significantly encroach into views of the frontage of the listed building.
7. Consequently, the proposed bin store would not appear as a visually disruptive or unduly dominant feature within the setting of the listed building. It would therefore preserve the special architectural and historic interest of the listed building and the contribution that its setting makes to its significance.
8. Notwithstanding its position and visibility from some parts of Church Lane, the bin store would be viewed against the backdrop of the existing garage and boundary wall. Moreover, by virtue of its design, scale and height, the proposal would not appear as a visually intrusive or incongruous feature in the street scape. Considering these factors, and given the context of the appeal property, the bin store would not appear at odds with the prevailing character of the area. In that regard it would not detract from the character and appearance of the CA.
9. For the reasons given above, the proposed bin store would not harm the setting and significance of the listed building and would preserve the character and appearance of the CA and its significance as a heritage asset. It would therefore accord with Policy HE1 of the Warwick District Local Plan 2011-2029 adopted 2017, which sets out that development will not be permitted where it will adversely affect the setting of a listed building, and Policy B6 of the Barford Neighbourhood Plan 2014 – 2029, which expects all new development within the Conservation Area and/or within the setting of a listed building to preserve and wherever possible enhance the positive attributes of the heritage asset. It would also accord with the aims and objectives of the National Planning Policy Framework (the Framework) in respect of the historic environment.

Conditions

10. In addition to the standard condition in relation to the time period for the implementation of the permission, a condition specifying the approved plans is necessary to provide certainty. I have not imposed a condition to require samples of the external materials to be submitted as suggested by the Council, but rather a condition to require the materials to be used to match those in the existing building, which is necessary and would provide adequate assurance regarding the appearance of the development and in the interests of the heritage assets. A condition to require details of the door is necessary, in the interests of the character and appearance of the area and the setting of the listed building. I have excluded the reference to windows, eaves, verges and rainwater goods from the Council's suggested condition as these elements are not relevant to the appeal proposal.

Conclusion

11. For the foregoing reasons, the appeal is allowed.

E Worley

INSPECTOR