



Appeal Decision

Site visit made on 11 February 2025

by R Catchpole BSc (hons) PhD MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 24 February 2025

Appeal Ref: APP/A2470/D/24/3349765

Jacobs Barn, Rookery Lane, Stretton, Rutland, LE15 7RA

- 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 Mrs Amanda Clare Skelton against the decision of Rutland County Council.
 - The application reference is 2024/0592/FUL.
 - The development proposed is the replacement of 13 no. windows, a front door and a pair of French doors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed works have already been carried out and this appeal is consequently retrospective. I have seen the effect and I am satisfied that the works have been carried out according to the plans that are before me. This is the basis upon which this appeal has been determined.
3. As the works are in a Conservation Area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
4. The Council has shortened the description of development in its decision notice but did not include the front door. For the sake of brevity and clarity, I have used a modified version of the shorter description for the purposes of this appeal.

Main Issue

5. The main issue is the effect of the proposal on character and appearance with special regard to the extent to which it would preserve or enhance the character or appearance of the Stretton Conservation Area (the CA).

Reasons

6. The CA covers a compact area which includes a limited number of historic buildings which are interspersed with modern, infill development. The historic buildings include the church of St Nicholas which is located adjacent to the open countryside to the south. The western boundary abuts the Great North Road and the A1 with the continuous traffic noise forming an audible backdrop to the village. The agricultural origins of the settlement remain legible from the presence of its coursed stone rubble cottages and the manorial, farm complex on Manor Road. This character is further reinforced by a prominent historic barn at the eastern end

of Rookery Lane. Boundary treatments vary but stone rubble is characteristic within the central core. Plot size and the orientation of historic buildings is irregular and suggestive of organic rather than planned development. Frequent mature trees give the village a verdant quality.

7. Given the above and insofar as this appeal is concerned, I find its significance to be founded on the use of a distinctive palette of materials and building techniques associated with the traditional, vernacular form and materials of its historic buildings.
8. Jacob's Barn is an L-shaped, single storey building near the westernmost extent of the CA with a gable end abutting Rookery Lane. It was converted to residential use around 25 years ago. It is closely juxtaposed with another converted farm building known as Erskine Barn where the same windows have been approved by the Council. The proposal has replaced modern, wooden windows that were associated with this conversion with 'Residence 9' uPVC windows of similar design and colour. Additionally, the front door on the eastern elevation has been changed as well as French doors on the northern elevation, which are viewable from the public domain. Although the northern elevation is set down, the height of the hedge and sporadic planting along the palisade fence are such that both the northern and the western elevations are visible from multiple viewpoints along Rookery Lane.
9. Whilst I observed the frequent use of double glazing throughout the CA, the use of uPVC appeared limited. Although present in Erskine Barn, this building has a much lower level of prominence and is therefore not capable of having a tangible visual impact. As is common with such windows, I find the casement frame around the individual windows to be overly thick which gives them a heavy, inelegant appearance at odds with the typical form of historic, single glazed windows. The plastic trickle vents at the top of the windows also detract from their appearance. Additionally, the glass has a greater reflectivity in comparison to single glazed windows which further adds to their incongruity. However, I note that this was also the case for the windows that were replaced and is common elsewhere in the CA. Whilst a like-for-like replacement could have been seen as having a neutral effect on the significance of the CA, I find the replacements detrimental due to their heavier frames and non-traditional materials. Although I note the fine-grained, impressed wooden pattern, the windows are clearly of uPVC construction despite having a smart appearance.
10. The appellant maintains that it is not out of character given the 'bright white uPVC windows' that can be seen elsewhere in the village. As I have already noted, the use of this material is limited. I also do not have the full circumstances of those installations before me and in any event, the presence of existing harm is not a justification for further harm to be caused.
11. The appellant also draws my attention to the poor condition of the windows that have been replaced and has submitted photographs as evidence. I note that there was some rot, particularly at the base of the doorways. However, the effect this had on the overall appearance of the CA and whether or not less harmful repairs could have been carried out cannot be judged because of their premature replacement.

12. Given the above, I find that the proposal has harmed the significance of the CA through the use of inappropriate materials and has consequently failed to preserve or enhance this designated heritage asset.
13. Paragraph 212 of the National Planning Policy Framework 2024 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification.
14. Given the limited scope of the visual impact, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Where a proposal leads to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
15. The appellant is of the opinion that the proposal is beneficial because it improves the long-term energy efficiency of the property. I accept that this is a public benefit. Although paragraph 167 of the Framework stresses the need to support energy efficiency, I only give this benefit limited weight because the new units replaced existing double glazing which would have had similar benefits had they been properly maintained. Consequently, I do not find that the public benefits are sufficient to outweigh the harm that I have identified in this instance.
16. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that the character and appearance of the Stretton Conservation Area has neither been conserved nor enhanced.
17. This would fail to satisfy the requirements of the Act, paragraph 210(a) of the Framework and conflict with policy CS22 in the Rutland Core Strategy DPD (2011) and policy SP20 of the Rutland Site Allocation and Policies DPD (2014) which seek to protect the character and appearance of conservation areas.

Other Matters

18. The appellant has highlighted the Council's willingness to allow some uPVC but that insufficient time was provided to respond to this suggestion. Whether or not sufficient time was given is an internal matter. I also note that the appellant was at liberty to withdraw the application and resubmit a more suitable proposal but chose not to do so.
19. The appellant notes that approval was given for an extension with prominent aluminium windows (Ref: 2022/0842/FUL) and takes issue with inconsistency in the Council's decision-making. I do not have the details of this proposal before me in order to come to a view on this matter and each case must, in any event, be judged on its individual merits.
20. The appellant highlights community-based activities as being indicative of a positive regard for the village. Whilst commendable, this is not a planning matter and is not material to my decision-making.
21. I have had due regard to the Public Sector Equality Duty set out under s149 of the Equality Act 2010 (as amended). The harm caused by permitting the replacement doors and windows would not outweigh their benefits in terms of eliminating

potential discrimination against a person with the protected characteristic of age¹, advancing equality of opportunity for those persons and fostering good relations between them and others.

Conclusion

22. Given the above and considering all other matters raised, the appeals should be dismissed.

R Catchpole

INSPECTOR

¹ Appellant's 95-year old mother.