



Appeal Decision

Site visit made on 3 March 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 April 2025

Appeal Ref: APP/A2470/W/24/3349232

Flat 3, 57a High Street East, Uppingham, Rutland LE15 9PY

- 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 Robert Stitt against the decision of Rutland County Council.
 - The application Ref is 2024/0251/FUL.
 - The development proposed is described as “re-roof of part of flat”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development differs between the application form and the decision notice. I have used the description from the application form in the banner heading of my decision as this adequately describes the proposal, however I have removed superfluous text from the description in the interests of clarity.
3. The application form confirms that the development commenced on 21/02/2024. I observed during my visit that the tiles had been laid on the roof in accordance with the details before me. I have determined the appeal on that basis.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Uppingham Conservation Area (CA).

Reasons

5. The appeal site is situated within the CA and in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
6. I have not been provided with evidence by the parties regarding the significance of the CA. I observed on my site visit that the settlement was set linearly along High Street East and West, and North Street East and West, with later extensions to the settlement situated to the north. I observed that the special interest lies in the positive character and appearance derived from the terraces of buildings fronting the streets, predominantly finished in a distinctive light-coloured stone. I also noted that roof materials were varied with some buildings using traditional materials and others more modern materials.

7. Flat 3, No 57a, High Street East forms part of a larger building which is sub-divided into flats. Whilst the building has a vehicular access from High Street East, the building itself fronts onto North Street East and there are limited views from High Street East to the appeal site. On the opposite side of North Street East to the appeal site are more modern properties which are primarily finished with white render and orange and brown roof tiles.
8. The appeal building is part two storey and part single storey, with the roof subject to this appeal being part of the single storey element. The front roof slope directly faces the streetscene and given its single storey stature, is prominent within the streetscene. The front façade of the building is finished in the light stonework seen throughout the CA. I therefore consider that the appeal site is a positive contributor to the CA.
9. There is common ground between the main parties that the principle of replacing the old Collyweston slates is acceptable, however the disagreement lies in the suitability of the tiles used.
10. The appeal proposal has used black slate composite tiles on the front and rear roof slopes. The tiles have a regular, untextured and reflective appearance. The tiles are not layered and sit flat on the roof in a uniform pattern. The appearance of the tiles would be at significant odds with the materials of the host building.
11. As a result, the roof tiles would appear unduly prominent within the streetscene and would be harmful to the character and appearance of the host building and wider area. The proposal neither preserves nor enhances the character or appearance of the CA. I assess that this harm would be less than substantial in this instance, but nevertheless of considerable importance and weight.
12. Paragraph 215 of the National Planning Policy Framework (the Framework) states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.
13. The public benefits presented by the appellant sets out that the tiles ensure the longevity and function of the building which helps maintain the overall fabric of the CA and are more durable and weather resistant than alternatives. They have also pointed to the practicality of the composite slate and it being an environmentally sound material. The appellant also highlights the cost effectiveness of the tiles.
14. Given that these benefits do not solely rely on these specific tiles, I can only give limited weight to the public benefits in this instance. As such, this would not amount to clear or convincing justification and would be insufficient to outweigh the great weight that should be given to the conservation of the heritage asset.
15. The appellant has also highlighted examples of different tiles used on properties within the CA, including on the adjacent property, and that there are more modern properties along North Street East. In my opinion, as I have explained in my decision, the tiles subject to this appeal are distinctly out of character and appearance with the host building and wider CA in their own right. I have considered the appeal before me on its individual planning merits and the presence of these examples do not persuade me that the appeal proposal is acceptable or otherwise justify the harm that I have identified in respect of the scheme.

16. For the reasons I have given, the proposed development would not preserve or enhance the character or appearance of the CA. The proposal therefore conflicts with Policies CS19 and CS22 of the Rutland Core Strategy Development Plan Document (2011) and Policies SP15 and SP20 of the Rutland Site Allocations and Policies Development Plan Document (2014). These policies seek to ensure a high standard of design and high-quality materials are used by proposals to ensure the quality and character of the built and historic environment, including conservation areas, will be preserved or enhanced.

Other Matters

17. The appellant has referred to the human rights of individual homeowners in their statement of case and potential undue financial and practical burdens through using other tiles. I have had due regard to Article 8 of the Human Rights Act 1998 in the determination of this appeal. I am satisfied that whilst I am dismissing this appeal, this decision would not unacceptably interfere with the appellants right to a private and family life and home.
18. I acknowledge the appellant's concerns with the Council's handling of the application, including the time taken to make its decision. However, in reaching my decision, I have been concerned only with the planning merits of the case.

Conclusion

19. For the reasons given, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. On this basis, the presumption in favour of sustainable development would not apply. Therefore, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR