



Appeal Decision

Site visit made on 10 October 2011

by **Janet L Cheesley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2011

Appeal Ref: APP/E2530/A/11/2157463

The Malting House, Church Street, Barrowby, Lincolnshire NG32 1BX

- 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 Tim Gadsby against the decision of South Kesteven District Council.
 - The application Ref S10/2198/FULL, dated 15 October 2010, was refused by notice dated 27 January 2011.
 - The development proposed is alterations and extension to outbuildings to create a dwelling.
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Decision

1. The appeal is dismissed.
2. The views of local residents and other interested parties have been taken into account in reaching this decision.

Planning Policy

3. National policy in *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)* seeks a high quality of development. National policy in *Planning Policy Statement 5: Planning for the Historic Environment (PPS5)* emphasises the conservation of the historic environment and its heritage assets.
 4. Policy 2 in The East Midlands Regional Plan (2009) seeks to promote better design. Policies 26 and 27 seek to protect the natural and cultural heritage and the historic environment. Whilst the Government is proposing to revoke all Regional Strategies, these general policies are in accordance with good planning practice. Therefore, I have attributed considerable weight to these policies in my determination of this appeal.
 5. Policy EN1 in the South Kesteven Core Strategy (2010) seeks to protect and enhance the character of the district.
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Main Issues

6. I consider there to be two main issues:

the effect of the proposal on the character and appearance of the Barrowby Conservation Area; and

the effect of the proposal on the setting of The Malting House, a Grade II listed building, and the future viability and preservation of this building.

Reasons

7. The *Planning (Listed Buildings and Conservation Areas) Act 1990* imposes duties requiring special regard to be had to the desirability: firstly at Section 16(2), of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and secondly, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.
8. The appeal site is situated within the Barrowby Conservation Area. This covers a large area of the village and is characterised by a mix of primarily traditional properties with some modern development. There is modern backland residential development in the vicinity of the appeal site.
9. The Malting House is a Grade II listed building described in the listing as *C17 house. Rendered stone. At right angles to and with gable end to road. Three storeys and attic*. It is a large house and I consider its setting to be the immediate road frontage and the side access and rear garden. The garden area is of a limited size for such a large dwelling.
10. The proposal includes the extension of an existing outbuilding, which would include rooms in a raised roof that would reach some 6 metres in height. The detailing would reflect, on a smaller scale, the design elements in The Malting House.
11. In my opinion, due to the proposed height, massing and design of the building, I consider that it would compete within the streetscene with The Malting House. In addition, due to its design features and materials proposed, I consider that it would appear as an imitation of The Malting House, which would not be in keeping with the modern design of other backland development in the vicinity and would appear at odds with the authentic design features in The Malting House. This would be to the detriment of the setting of The Malting House and would not preserve the character or appearance of the Barrowby Conservation Area.
12. The appellant has stated that the proposed dwelling would remain in the same ownership as The Malting House and would not be independent from that dwelling. However, it is not realistic to expect that this arrangement would remain in the long term and the design of proposed dwelling would allow for independent use. Therefore, I consider it essential that I take into consideration the possibility of there being two independent dwellings at the appeal site.
13. The rear garden area is already rather small for such a large house and making it even smaller would result in The Malting House having a very limited



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Site visit made on 10 October 2011

by **Janet L Cheesley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2011

Appeal Ref: APP/E2530/A/11/2157184

Mill Farm, Dallygate, Great Ponton, Grantham, Lincolnshire NG33 5DP

- 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 Stephen T Jackson, TRH Jackson and Partners against the decision of South Kesteven District Council.
 - The application Ref S10/2336/FULL, dated 1 October 2010, was refused by notice dated 9 February 2011.
 - The development proposed is a mobile caravan to be used as holiday accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note that the planning application was retrospective for the caravan that is already on the appeal site.

Planning Policy

3. National policy in *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)* and *Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)* seek a high quality of development. National policy in *Planning Policy Statement 5: Planning for the Historic Environment (PPS5)* emphasises the conservation of the historic environment and its heritage assets.
4. Policy 2 in The East Midlands Regional Plan (2009) seeks to promote better design. Whilst the Government is proposing to revoke all Regional Strategies, this general design policy is in accordance with good planning practice. Therefore, I have attributed considerable weight to this policy in my determination of this appeal.
5. Policies SP1 and EN1 in the South Kesteven Core Strategy (2010) seek to ensure that new development does not compromise the nature and character of an area.

Main Issue

6. I consider the main issue to be the effect of the development on the character and appearance of the surrounding area.

Reasons

7. The appeal site lies within a farmyard complex in open countryside. Apart from large modern agricultural buildings, there are traditional farm buildings adjacent to the farmhouse that have been converted to residential use as holiday accommodation or as an extension to the farmhouse. The retained traditional layout and design of these buildings make a positive contribution to the rural character and appearance of the surrounding area.
8. The caravan is partially screened by the remaining walls of a barn previously on the site. Nevertheless, it is partially visible from the garden of one of the holiday cottages and from distance views across the valley.
9. From my observations, I consider that the caravan is an incongruous addition to this group of buildings. It is neither a traditional farm building nor a modern large agricultural storage building. Due to the angular features and light colouring of the caravan adjacent to the traditional farm buildings, I consider that it appears as a discordant feature in this farmyard setting. In particular, I consider that it harms the setting of the traditional farmyard complex of buildings, which in my opinion have significant historic and visual interest.
10. For the above reasons, I conclude that the caravan has an adverse effect on the character and appearance of the surrounding area. This is contrary to national policy in PPS1, PPS5 and PPS7, Regional Plan Policy 2 and Core Strategy Policies SP1 and EN1.
11. In reaching my conclusion, I have had regard to all other matters raised. In particular, I note that the caravan provides tourist accommodation as part of a rural diversification scheme. However, in the light of the harm I have identified above, I do not consider that this justifies allowing the appeal.

Janet Cheesley

INSPECTOR



Appeal Decision

Site visit made on 10 October 2011

by Janet L Cheesley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 October 2011

Appeal Ref: APP/E2530/D/11/2160393

85 Lady Margarets Avenue, Deeping St James, Peterborough, Lincolnshire
PE6 8TQ

- 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 M Cox against the decision of South Kesteven District Council.
 - The application Ref S11/0936/HSH, dated 20 April 2011, was refused by notice dated 20 June 2011.
 - The development proposed is a two-storey rear extension.
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Decision

1. The appeal is dismissed.
2. The views of local residents have been taken into account in reaching this decision.

Preliminary Matter

3. The postcode on the planning application was stated as being PE6 9RS. It is clear from the representations that this was an error and the correct postcode is PE6 8TQ.

Main Issues

4. I consider there to be two main issues:

the effect of the proposal on the character and appearance of the surrounding streetscene; and

the effect of the proposal on the living conditions of occupiers of 25 and 26 Blackthorn Close, with particular reference to sunlight.

Reasons

5. The appeal dwelling is a detached property within a modern housing development. There is a range of different house types in the vicinity, including other dwellings of a similar house type to the appeal property. Due to the road configuration, this property is situated within an irregular shaped plot and is set at an angle. Thus, both the front and a side of the dwelling are visible within the streetscene of Lady Margarets Avenue.
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6. The proposal includes a full height rear extension of some 2.3 metres in depth. This would elongate the ridgeline of the existing dwelling, which would be clearly visible along the side elevation within the streetscene. In my opinion, due to the height, scale and depth of the proposed extension, I consider that it would result in a dwelling that would appear dominant, overbearing and cramped within the streetscene in this prominent location. In addition, the resultant dwelling would appear excessively long in comparison to those of a similar house type in the surrounding estate and thus would be out of keeping with the appearance of the original dwelling. Thus, it would appear incongruous within the streetscene and out of character with the surrounding area.
7. The appeal property already projects further back than the adjacent dwelling at 26 Blackthorn Close. As a result of the orientation of these properties, the appeal dwelling currently blocks sunlight to some degree to the rear garden at 26 Blackthorn Close. Due to the height and depth of the proposed extension and its proximity to this neighbouring property, I consider that the proposal would significantly reduce the already limited amount of sunlight into this neighbouring rear garden. Thus, this rear garden would become a less pleasant place to use.
8. 25 Blackthorn Close is some distance from the proposed rear extension. From my observations, I do not consider that the proposal would have an adverse effect on the living conditions of occupiers of that property. However, in the light of the harm I have identified above, I do not consider that this matter justifies allowing the appeal.
9. In conclusion, I consider that the proposal would have an adverse effect on the character and appearance of the surrounding streetscene and on the living conditions of occupiers of 26 Blackthorn Close. Thus, the proposal would be contrary to Policies SP1 and EN1 in the South Kesteven Core Strategy (2010). These policies, amongst other matters, seek to ensure that new development does not compromise the nature and character of an area.

Janet Cheesley

INSPECTOR