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## Appeal Decisions

Site visit made on 24 May 2016

**by Jennifer Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC**

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

**Decision date: 16 June 2016**

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**Appeal Ref: APP/G1630/W/16/3143082**

**Lynch Lane Farm, Greenway Lane, Gretton, Cheltenham, Gloucestershire GL54 5ER**

- 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 & Mrs A Steward against the decision of Tewkesbury Borough Council.
  - The application Ref 15/00678/FUL, dated 12 June 2015, was refused by notice dated 17 August 2015.
  - The development proposed is described as "addition of single storey utility and porch. Alterations to fenestration design and position to approved permission 13/01065/FUL & 13/01066/LBC."
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**Appeal Ref: APP/G1630/Y/15/3140344**

**Lynch Lane Farm, Greenway Lane, Gretton, Cheltenham, Gloucestershire GL54 5ER**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Mr & Mrs A Steward against the decision of Tewkesbury Borough Council.
  - The application Ref 15/00679/LBC, dated 12 June 2015, was refused by notice dated 17 August 2015.
  - The works proposed are described as "addition of single storey utility and porch. Alterations to fenestration design and position to approved permission 13/01065/FUL & 13/01066/LBC."
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### Decision

1. The appeals are dismissed.

### Procedural Matters

2. The Council issued a refusal of listed building consent by notice dated 17 August 2015. The decision notice in respect of the application for planning permission was headed 'permission for development' although the reasons set out the Council's objections to the proposal. The Council issued a corrected notice of decision in respect of the application for planning permission, also dated 17 August 2015. Appeals were lodged against the refusal of planning permission and listed building consent and I have made my decisions on this basis.
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## **Main Issues**

3. These are (i) whether the proposed works and development would preserve the listed building known as Lynch Lane Farm (listed as Lynch Lane Farmhouse) and its setting and any features of special architectural or historic interest it possesses; and (ii) whether the proposals would preserve or enhance the character or appearance of the Gretton Conservation Area.

## **Reasons**

### *Background and Planning Policy*

4. The listing description refers to Lynch Lane Farmhouse, which was listed Grade II in 1960, as dating from the 17C and built of coursed and squared rubble stone, with a rebuilt north gable and some rendered walling. The description also refers, amongst other matters, to the stone slate roof with concrete replacements on the rear facing slope and an extension under a cat-slide roof at the rear.
5. The site lies within the Gretton Conservation Area. The Council has not provided any formal appraisal of the conservation area. The site lies within the Cotswold Area of Outstanding Natural Beauty.
6. The local plan policy context set out by the Council relates to 'saved' policies of the Tewkesbury Borough Local Plan<sup>1</sup> (the Local Plan) and specifically to Policy HOU8 which addresses the design of domestic extensions in all locations and to Policy HEN2 which is concerned with the impact of proposals on conservation areas.
7. The saved Local Plan policies are broadly consistent with the National Planning Policy Framework (Framework) insofar as they are concerned with the importance of good design and in the protection of conservation areas which are a designated heritage asset. The Framework requires great weight to be attached to the conservation of designated heritage assets. It also sets out that the conservation of cultural heritage is an important consideration in Areas of Outstanding Natural Beauty.

### *Effect of the proposals on the special architectural and historic interest of the listed building*

8. Based on the listing description and what I observed during my site visit together with the evidence put forward, I consider that the significance of the appeal property lies in the simplicity of its historic form, which remains evident despite the extensions and alterations which have taken place at the rear of the property. The local building materials and building style are reflected in, amongst other characteristics, the steep roof pitches and, with regard to the external walls, the high proportion of masonry in relation to window openings.
9. The extensions on the rear of the building include a single storey extension with a pitched roof at right angles to the main roof slope. Attached to this and also to the main rear wall of the dwelling is a timber and glass conservatory on a low stone wall base. Permission has been granted by the Council to remove the extensions at the rear of the property and replace them with a one and half storey extension of increased floor area which would provide additional first

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<sup>1</sup> Tewkesbury Borough Local Plan to 2011, Adopted March 2006

floor accommodation. Although the permitted extension would further alter the historic plan of the building, openings within the historic rear wall of the dwelling already exist as a result of the existing extension. The relatively simple design and steep pitch of the roof on the permitted extension, together with the modest size of the proposed windows, would reflect the general form and style of the historic building. This permitted extension has not been constructed.

10. Whilst not fully detailed on the submitted plans, the appeal proposals would introduce an extensive area of oak framed glazing within the gable wall of the proposed extension. This glazing would extend across most of the width of the ground floor of the wall resulting in a relatively narrow width of masonry to either side of the glazing. The Council point out that this arrangement could only be achieved by the introduction of reinforcing structural elements into the design which are not indicative of vernacular building methods.
11. Although the use of modern building techniques is not necessarily inappropriate within a new extension, the introduction of such a large glazed opening within a principal wall of the dwelling would appear incongruous in the context of the robust nature of the historic building. The proportion of masonry to window openings would appear as markedly different from that of the listed building of which it would form part and indeed from the first floor of the proposed extension. This would harm the special architectural interest of the listed building.
12. The proposed scheme would include a single storey element with a lean-to roof up to the eaves level of the proposed one and a half storey extension. An oak framed porch with a mono-pitch would project beyond the rear walls of both the one and a half storey and single storey elements of the extension. The pitch of the porch roof would be the same as that of the single storey proposed extension. The width of the proposed single storey extension and lean-to design of the roof would result in a roof pitch considerably lower than that of the historic building. Consequently, the lean-to extension roof would appear as an inappropriate addition to the existing building. In some views, the proposed porch would be seen in isolation rather than against another wall or roof and its roof would have an uncharacteristically low pitch. The porch would appear as poorly related to the overall massing of the building.
13. Whilst the overall size of the scheme as a whole would not dominate the existing building, the porch and single storey elements of the proposed extension would fail to respect the historic and architectural interest of the listed building and would diminish the building's significance.
14. I have noted the appellant's response to the Council's indication that revisions must be within the parameters of the permitted scheme. Whilst the permitted extension is clearly a matter to which I have given due weight, I have considered the proposals before me on their own planning merits. I acknowledge that the previously permitted extension may not meet the appellants' accommodation needs and that elements of the proposed scheme may result in a more flexible living space. However, this is not sufficient justification for the alterations and extensions to the property in the manner now proposed.

15. The proposals would fail to preserve the listed building, the desirability of which is fully anticipated by the 1990 Act<sup>2</sup>. Section 16(2) of the Act requires that in considering whether to grant listed building consent for any works special regard shall be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 66 of the Act imposes a similar requirement with regard to development requiring planning permission.
16. The development would fail to comply with those elements of Local Plan Policy HOU8 which permit extensions where the detailed design reflects or complements that of the existing dwelling and respects the character and proportion of the original dwelling.

*Effect on the Conservation Area*

17. I noted during my site visit that the conservation area includes a significant number of traditional buildings which exhibit the steep roof pitches common to this part of the Cotswolds. I consider that Lynch Lane Farm makes a positive contribution to the special interest and significance of the conservation area. Whilst the proposals would not be unduly prominent within the conservation area as a whole, the proposals would nevertheless fail to preserve the character and appearance of the area for the reasons set out above. Consequently the proposals would fail to comply with Local Plan Policy HEN2.

*Other matters*

18. I have noted the comments made by the appellants with regard to the Council's approach to dealing with the proposals. However, these are not matters which affect my decision.
19. Whilst the proposals would result in partially building over an access drive into the property, vehicular access to the site would remain on the north side of the property. Any private access arrangements are a matter between the relevant parties and do not have a bearing on my decision.
20. I have also noted the letter of support submitted in respect of the proposal but this does not alter my findings on the main issues.

**Conclusions**

21. The proposals would fail to preserve the special architectural and historic interest of the listed building. They would also fail to preserve and therefore would not enhance the character or appearance of the conservation area. When considered in the context of the Framework, the harm to the significance of designated heritage assets would be less than substantial. However, the Framework requires that great weight be given to the conservation of heritage assets. In this case, any public benefits of the proposals would not outweigh the harm to heritage assets and the proposals would not comply with the Framework.
22. For the reasons given above, and having taken into account all matters raised, I conclude that the appeals should be dismissed.

*Jennifer Tempest*

INSPECTOR

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<sup>2</sup> Planning (Listed Buildings and Conservation Areas) Act. 1990