



Appeal Decisions

Site visit made on 12 July 2022

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

Appeal A Ref: APP/L3245/W/22/3291914

Laburnum Barn, Wollerton, MARKET DRAYTON, TF9 3NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Tom Edwards against the decision of Shropshire Council.
 - The application Ref 21/05619/VAR, dated 29 November 2021, was refused by notice dated 20 January 2022.
 - The application sought planning permission for conversion of barn into dwelling without complying with a condition attached to planning permission Ref 15/03747/FUL, dated 6 June 2016.
 - The condition in dispute is No. 2 which states that the development shall be carried out strictly in accordance with the approved plans and drawings.
 - The reason given for the condition is for the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
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Appeal B Ref: APP/L3245/W/22/3298372

Laburnum Barn, Wollerton, MARKET DRAYTON, TF9 3NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Tom Edwards against the decision of Shropshire Council.
 - The application Ref 22/00812/VAR, dated 17 February 2022, was refused by notice dated 20 April 2022.
 - The application sought planning permission for conversion of barn into dwelling without complying with a condition attached to planning permission Ref 15/03747/FUL, dated 6 June 2016.
 - The condition in dispute is No. 2 which states that the development shall be carried out strictly in accordance with the approved plans and drawings.
 - The reason given for the condition is for the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
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Decisions

1. Appeal A and Appeal B are both dismissed.

Main Issue

2. The main issue for both appeals is the effect of the proposals on the character and appearance of the host property and the wider area.

Reasons

3. The appeal site is located in the small but dispersed rural settlement of Wollerton, forming part of a cluster of buildings on this side of Mill Road.
4. Laburnum Barn is a modest brick and slate building set within a large plot, which is bounded on two sides by open agricultural land. The converted barn is agricultural in appearance, and from the information provided, and my observations on site, it seems likely that it was formerly a stable or cart store with hayloft above.
5. Immediately to the front of Laburnum Barn is Laburnum Villa, an attractive and well-proportioned two storey house. Aside from a single storey rear extension, Laburnum Villa appears to be relatively unaltered and retains the appearance of a traditional country dwelling or farmhouse.
6. From the information provided in the submitted Design and Access Statement, Laburnum Villa and Barn first appear on an Ordnance Survey map from 1902 and date from around that time. The cartographic evidence, and their close proximity and shared name, strongly suggest that the Barn was an outbuilding associated with Laburnum Villa.
7. The Council has described Laburnum Barn as a non-designated heritage asset, and I note that it is listed in the Shropshire Historic Environment Record. As a traditional rural outbuilding, the barn has historic and evidential value, demonstrating the style of rural buildings and the pattern of past development in this area. The simple yet functional design of the Barn, and its attractive rural position, give it aesthetic value.
8. The significance of Laburnum Barn is derived from its rural setting, intact historic fabric and its spatial relationship with Laburnum Villa, which is still clearly apparent despite the recent subdivision of the site and the erection of a boundary wall.
9. The Barn has already been converted to residential use, in accordance with planning permission ref 15/03747/FUL. The former lean-to has been demolished, but the single storey rear extension, which formed part of the approved scheme, has not been built.
10. The two appeals propose alternative schemes to extend Laburnum Barn, which differ only in their design and fenestration. Unlike the contemporary box form of the previously approved extension, the current appeals propose designs which aim to respect the style of the traditional rural buildings found in this area. In the case of Appeal A, the simple pitched roof design would reflect the appearance of the original building. However, the Dutch barn style addition with curved roof, proposed in Appeal B, would be very different to the host building. Even though Appeal B would be agricultural in appearance, it would introduce an unlikely and somewhat confused relationship between the original building and extension.
11. Both schemes propose a single storey extension with a similar overall footprint to that originally approved, but turned by 90 degrees to project out from the rear elevation, rather than running along its length, as in the original scheme. In both appeals, the main part of the extension would be offset from the rear elevation of the Barn, and would be joined to the original building by a lower, flat roofed linking element. This would help to retain more of the historic fabric

of the Barn, as well as providing a degree of visual separation between the original and new elements. However, despite the proposed link, the orientation of both proposals would detract from the original, simple rectangular plan form of the outbuilding. Furthermore, by turning the extension around and creating an L-shape, as proposed in both appeals, the overall impression would be of a much larger building than was previously approved, even though the footprint would be similar.

12. The overall height of both proposed additions would exceed that of the Barn's eaves. I appreciate the appellant's desire for a more open and airy space than is provided by the original barn, and the associated benefits for well-being. However, due to their height, both proposals, and in particular Appeal A, would appear overly dominant in relation to the original building. As a result, both appeals would adversely affect the character of Laburnum Barn, and would detract from the significance of the non-designated heritage asset.
13. Its position behind Laburnum Villa means that views of the Barn from the road outside are restricted, but nonetheless the extensions proposed in both appeals would be visible from Mill Road at the front. Both proposals would also be visible across the adjacent field from both Mill Road and Drayton Road. Although the proposals would be seen in the context of other surrounding buildings, including the adjacent dwelling Lexley, the extension proposed in Appeal A, and to a lesser extent that in Appeal B, would visually compete with the Barn, causing harm to the character of the building as it is appreciated from the wider area.
14. I conclude that both appeals would cause harm to the character and appearance of the host property and the wider area. Both proposals would be contrary to Policies CS6 and CS17 of the Shropshire Core Strategy 2011 and Policies MD2 and MD13 of the Site Allocations and Management of Development Plan 2015. Taken together, these policies require that new development conserves and enhances the built and historic environment, and is appropriate in design, taking account the local context and character.
15. There is further conflict with paragraph 130 of the National Planning Policy Framework which requires that developments are sympathetic to local character and history.

Conclusion

16. In both appeals, the proposed variation of condition 2 conflicts with the development plan and there are no other considerations which overcome this finding. Appeal A and Appeal B are therefore dismissed.

R Morgan

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/L3245/W/22/3291914	Mr Tom Edwards
Appeal B	APP/L3245/W/22/3298372	Mr Tom Edwards