



Appeal Decision

Site visit made on 4 December 2024

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2024

Appeal Ref: APP/K2420/D/24/3352127

Owl Barn, Brockey Farm, Kirkby Road, Barwell, Leicestershire LE9 8FT

- 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 Jack Hames and Miss Alice Croucher against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 24/00646/HOU.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at Owl Barn, Brockey Farm, Kirkby Road, Barwell, Leicestershire LE9 8FT in accordance with the terms of the application, Ref 24/00646/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 296/PL01.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Preliminary matter

2. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, during consideration of the appeal. Having regard to the changes in the Framework and to the comparatively minor scale and nature of this appeal proposal, I consider that further consultation on this matter is not necessary.

Main issue

3. The main issue is the effect of the proposal on the character and appearance of the building and the local area.

Reasons

4. Owl Barn is an L-shaped, single storey, brick, render and plain clay tile converted agricultural building. It forms one side of a courtyard enclosed by converted buildings, in an isolated position in the countryside. The proposal is to add a small, single storey garden room extension at one end, in the same style as the one at the other end, so that the building would take on more of a C-shape. The extension would take the place of an unattractively fenced

enclosure, though it is not clear whether this would need to be replaced elsewhere in the garden.

5. The Council's key concern is that this would be an incongruous addition that would fail to respect the simple historic layout of the former agricultural complex with its plain uncluttered elevations. The Council's Supplementary Planning Document *The Good Design Guide* (SPD) advises that it is of paramount importance that barn conversions retain their agricultural character and do not become domestic in appearance. The SPD further says that it is usually not appropriate to extend an agricultural building conversion as this risks losing the simple historic form. I note that a condition was imposed on the original planning permission for residential conversion, removing permitted development rights for extensions in order to protect the plan form from inappropriate additions.
6. The proposed extension would, however, be small in scale so that it would be a subsidiary part of the property and a very minor element of the wider courtyard development. It would reflect the design and layout of the existing projecting element at the other end of the property. The form of the building would remain simple, in character with other agricultural and former agricultural buildings nearby. The original built form would remain legible. The extension would furthermore only be seen in the context of domestic garden structures in the medium to long range views from the surrounding countryside. Therefore, although the SPD indicates that extensions like this are usually inappropriate, the individual circumstances here indicate that the proposal would preserve the rural, agricultural character of the building.
7. The Council is also concerned that allowing this appeal might set a precedent for other, undesirable, proposals that would become more difficult to resist. It draws my attention to another appeal decision¹ for a different site, where an extension to a rural house was not allowed. I do not have details of that proposal, but it is evident from the text of the decision that it was much more complex in nature - including reference to a contrived roof arrangement wrapping around existing dormers. Each of these cases falls to be considered on its own merits. As I do not find the current appeal proposal to be harmful, it would not set any precedent for undesirable proposals.
8. I conclude that the proposal would not harm the character or appearance of the building or the local area. It accords with policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document, the SPD and the Framework, which aim to secure good design that complements local character and protects the landscape.
9. I impose a condition specifying the relevant plans to provide certainty. A condition requiring the use of matching materials is also necessary to protect the character and appearance of the building.
10. The proposal accords with the development plan for the area. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR

¹ APP/K2420/D/19/3228184