

Appeal Decision

Site visit made on 1 July 2019 by Amanda Sutton BA Hons DipTP DMS MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/H1840/D/19/3228378

Newland Farm, Barn 3, Brown Heath Lane, Martin Hussingtree, WR9 7JF

- 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 Aaron Kernaghan against the decision of Wychavon District Council.
 - The application Ref 18/02520/HP, dated 27 November 2018, was refused by notice dated 15 February 2019.
 - The development is described as 'proposed construction of a single storey rear extension and installation of rooflights'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The appeal property is located in the West Midlands Green Belt. Paragraph 145 of the National Planning Policy Framework (the Framework) establishes that the construction of new buildings is inappropriate in the Green Belt, except in a limited number of circumstances. The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building is one such exception. The Council acknowledge that the proposal would not result in inappropriate development in the Green Belt. I concur.
4. The main issue, in this case therefore is the effect the proposed development on the character and appearance of the property as a non-designated heritage asset and the surrounding area.

Reasons

5. The Council states the appeal property is a non-designated heritage asset, describing it as a good example of regional vernacular for agricultural buildings. The appellant's written statement seeks to dispute this, but his Built Heritage Statement (CgMs Heritage 2019) does not question the status of the appeal property.

6. The Glossary to the Framework states that a heritage asset includes a building having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority, which is the case with the appeal property.
7. Paragraph 184 of the Framework requires heritage assets to be conserved in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 197 states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
8. The appeal property is part of a small complex of former farm buildings originally constructed in the 19th Century, configured in a L- shape, which have been converted into residential use. Fenestration on the buildings, garages, gravel drives, parking areas and boundary walls serving and dividing individual dwellings, clearly indicate the residential character of the appeal property and the wider complex. However, the agricultural heritage of the appeal property is evident when viewed in its immediate setting, given its proximity to the former farmhouse, the relationship to the other buildings within the court yard style development and the retained character of the structures.
9. The proposal is for a single storey, flat roof glazed extension to the rear elevation of the appeal property. Design measures ensure the proposal would be subordinate to the original building, adopting a minimalist contemporary style, using materials which allow it to be clearly read as an addition to the host property and situating it on an elevation where it would be least visible. However, the proposal would not be sensitive to the linear historic form of the host property and its neighbours within the complex. The new extension would jar with the character and appearance of this important building and group of which it forms part. It would diminish the aspects of the heritage asset which makes its agricultural heritage legible. As a consequence, its significance would not be sustained and enhanced.
10. The appellant indicates that since conversion to residential use, the complex has benefited from consents for additional structures included conservatories, outbuildings and detached garages. I do not have detailed planning histories relating to the whole complex, however I note that although some outbuildings associated with the residential use are in situ, there are no extensions attached to the original barns/buildings converted under the 2003 consent. Indeed, proposed extensions to the appeal property were refused consent in 2007 and 2009, and therefore the footprint of the building remains relatively unchanged since its conversion. This matter does not alter my findings above.
11. The wider locality comprises open countryside, with a mix of arable and pastoral farming, and a few scattered dwellings along Brown Heath Lane and the surrounding lanes. The site visit was conducted in mid-summer and hedgerows and trees surrounding the appeal property were in full foliage. Given the position of the appeal property, the landform and proximity to other buildings, it is unlikely that the proposal would be visible from the wider surrounding area at any time of the year. However, a key aesthetic and historic

characteristic of the appeal property is its immediate setting and association with other buildings in the complex.

12. Given my findings above, the contribution that the host property would make to the complex of former agricultural buildings and the countryside, would be significantly diminished as a result of the extension. Harm to the character and appearance of the surrounding area would result. The proposal would not make a positive contribution to local character and distinctiveness.
13. In light of the foregoing I conclude that the proposal would neither sustain or enhance the significance of this non-designated heritage asset and it would result in harm to the character and appearance of the area. This is contrary to Policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan 2016, and the principles set out in the South Worcestershire Design Guide Supplementary Planning Document 2018, which collectively seek to ensure new development integrates with its surroundings, conserves and enhances local areas and heritage assets, reinforces local distinctiveness and sustains the historic quality and sense of place of South Worcestershire.

Other Matters

14. The appellant has raised concerns about the advice given by the Council in respect of the proposal and the property's lawful use. This appeal follows the refusal of planning permission for the proposal set out above in the banner heading. I have based my recommendation on the evidence before me and the merits of the case.
15. It is submitted that the proposed extension could be removed without damage being caused to the host property. However, as the proposal seeks full planning permission, there is no certainty that the extension would be a temporary feature. Moreover, given the harm that I have identified, even if it were temporary, this would address the harm to the significance of this heritage asset that I have identified.
16. The appellant has indicated that the modest scale of the host dwelling is not fit for family living. There is no evidence to suggest that this decision unduly prevents the existing property being used and enjoyed for family life by the appellant.
17. Whilst noting the considerations advanced in support of the proposal, I find that they do not outweigh the harm that I have identified.

Conclusion and Recommendation

18. For the reasons outlined above, it is recommended that this appeal should be dismissed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and concur that the appeal should be dismissed.

R C Kirby

INSPECTOR