
Appeal Decision

Site visit made on 18 February 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2020

Appeal Ref: APP/L2630/W/19/3235648

Sawyers, Trunch Hill, Denton, Harleston IP20 0AQ

- 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 John Francis against the decision of South Norfolk District Council.
 - The application Ref 2019/0842, dated 17 April 2019 was refused by notice dated 12 June 2019.
 - The development proposed is erection of one dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area, with specific regard to whether it would preserve or enhance the significance of Sawyers, a grade II listed building and (ii) whether the proposal would provide adequate living conditions for future occupiers with regard to private outdoor amenity space.

Character and appearance and heritage assets

3. The appeal site is part of the side and front garden of Sawyers, a grade II listed building. This building is 17th century with 19th century additions. It is a timber framed, two storey dwelling, encased in red brick with a steep pitched, glazed black pantile roof, originally of thatch. A former gardener's cottage, Pear Tree House is attached to Sawyers on its southern end, orientated east west, with its rear elevation forming part of the boundary with the listed building. The significance of Sawyers is derived primarily from its physical form and fabric, its history of prominent owners and its position within the landscape.
4. Whilst the listed building would once have been isolated within the landscape its wider setting has altered over time. There is a row of council houses to the south and a recently erected two-storey detached dwelling to the north (The Hub), on the opposite side of Middle Lane. However, there is still a sense of openness and isolation to the listed building because of the agricultural landscape to the east and west and the building's position within its sizeable plot. This isolation is not diminished by the presence of Pear Tree Cottage, which is seen as related to, and part of, the historic setting.
5. The National Planning Policy Framework (the Framework) defines the setting of a listed building as the surroundings in which it is experienced and confirms

that its setting may contribute to the significance of a heritage asset. I consider that the appeal site has an important functional and visual relationship with the heritage asset and forms a strong part of its setting.

6. The appeal building would be situated forward of the principal elevation of Sawyers, although it would remain behind an imagined line drawn between the western elevations of The Hub and Pear Tree Cottage. Insofar as the dwellings in this part of the street have deep front gardens with smaller gardens to the rear, the proposed development would be similar in terms of its layout.
7. However, the appeal building would have very little space at its rear and the vehicular entrance and remaining rear amenity space to Sawyers would be immediately behind the proposed rear boundary. This would be at odds with the prevailing pattern of development whereby the rear gardens have greater depth than the proposal and back onto open farmland. In addition, the proposed parking and turning area would dominate the frontage of the dwelling. The position and layout of the proposed development would be unacceptably harmful to the character and appearance of the area.
8. The south western corner of the proposed dwelling would be cut away at first floor level to minimise the impact on views of the listed building from the north along Trunch Hill. In addition, the scheme would reduce the existing ground level of the appeal site in order that the finished height of the building would be subordinate to that of Sawyers. However, whilst glimpses of the listed building would still be available in the street scene, the proposed dwelling would visually compete with and distract from this heritage asset, eroding its historic seclusion. As a consequence, the setting of the listed building would not be preserved.
9. I acknowledge that previously public views of Sawyers may not have been readily available due to high hedging around the site. However, the setting of a listed building does not have to be capable of being viewed by the public in order to form part of its significance. The setting is also experienced from within the listed building itself. The erection of a dwelling in such close proximity to Sawyers would irrevocably erode its seclusion and its functional relationship with the appeal site.
10. I conclude that the appeal scheme would therefore not only harm the character and appearance of the area but would also result in less than substantial harm to the setting of Sawyers and would fail to preserve its particular significance. This is contrary to Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) and Policies DM1.4, DM3.5, DM3.8 and DM4.10 of the South Norfolk Local Plan Development Management Policies Document 2015 (LP). Together these policies seek, amongst other things, to ensure that development proposals respect local distinctiveness, including the landscape character and the historic environment.
11. However, paragraph 196 of the framework requires that harm to the significance of a designated heritage asset should be weighed against the public benefit of the proposal in such circumstances. I will return to this in the planning balance.

Living conditions

12. The position of the proposed dwelling within its plot would result in poor provision of private amenity space for future occupiers. The garden area at the rear would feel cramped due to the restricted depth. Although the plot is sizeable, the majority of useable outdoor space would be to the front of the property. This area would not perform well as private space, being somewhat open to view from the road. The spaces would be unlikely to be functional for this family sized dwelling and would not accommodate the needs of its users.
13. While fencing could be provided within the site to provide a more private space, this would be to the rear of the proposed parking and turning area and would create an awkward subdivision of the site. I consider that the need for such fencing only serves to demonstrate the unacceptability of the layout proposed.
14. I conclude that the scheme would not provide adequate living conditions for future occupiers with regard to the provision of private outdoor amenity space. Thus, it would be contrary to JCS Policy 2 and Policies DM3.5, DM3.8 and DM3.13 of the LP. Together these policies seek to ensure a reasonable standard of amenity for future occupiers with regard to the provision of private amenity space. The proposal would also conflict with the Framework in this regard.

Planning Balance

15. The Framework indicates that great weight should be given to the conservation of designated heritage assets. Whilst I have not found the harm in this case to reach the high hurdle of substantial harm, the proposal would nonetheless result in harm that requires clear and convincing justification.
16. The proposal would make a small contribution to the supply of housing. The location of the proposed development is within a designated settlement boundary whereby the principle of an additional dwelling is considered acceptable. The scheme would provide economic benefits by way of short-term employment during the construction phase and by the support for services by future occupiers. These benefits are modest, and they attract moderate weight.
17. Taking the above points together I do not consider that there would be public benefit sufficient to outweigh the significant weight to be attached to the harm I have identified in relation to a designated heritage asset.
18. In addition, the proposal would be harmful to the character and appearance of the area and would not provide satisfactory living conditions for future occupiers in conflict with Policies JCS Policy 2 and Policies DM3.5, DM3.8 and DM3.13 of the LP. I give significant weight to this harm. Taking all this into account there is no reason to take a decision other than in accordance with the development plan and for the reasons set out the appeal must fail.

Conclusion

19. For the reasons given above the appeal is dismissed.

S Tudhope
Inspector