The Planning Inspectorate

Appeal Decision

Site visit made on 9 March 2021

by H Porter BA(Hons) MSc Dip IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021

Appeal Ref: APP/H1840/W/20/3256805
The Old Mill, The Cross, Childswickham WR12 7HJ

- 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 Machnicki against the decision of Wychavon District Council.
- The application Ref 20/00874/FUL, dated 1 May 2020, was refused by notice dated 30 June 2020.
- The development proposed is new family dwelling and detached garage.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area, which includes its effect on the Childswickham Conservation Area and the setting of the Grade II* listed Church of St Mary.

Reasons

3. The appeal concerns the lower portion of the residential garden associated with The Old Mill and is within the development boundaries of Childswickham. The site is situated in the Childswickham Conservation Area (CA) and is close to a number of designated heritage assets, including the Grade II* listed Church of St Mary (the Church).

4. The Childswickham Conservation Area Appraisal, July 2005 (CCAA) and appellants' Heritage DBA[1] provide a detailed analysis of the significance and special interest of the CA. From what I have seen and read, I consider the special interest of the CA is in part derived from the village's long history; evident within its rich archaeological and heritage assets, layout and surviving historic plots, which together reveal its built evolution. Additionally, large gardens and undeveloped spaces aid a reinforcement and connection with the CA as a small village in rural surroundings.

5. The Grade II* listed Church is situated a short distance east of the appeal site and occupies an edge-of-village position with clearly defined boundaries. The Church's origins within a medieval settlement, its age, historic fabric and architectural execution, are of special interest and significance, as is its role

[1] Heritage Desk-Based Assessment, Cotswold Archaeology, April 2020 (Heritage DBA)

and function as a visual and social landmark. This is not only manifest in the building's tall spire but in the degree of separation that the open spaces around the Church, including the appeal site, provide. Whilst the village has inevitably changed over time, the appeal site has enduringly contributed to the physical and visual detachment that informs its surroundings. Thus, the appeal site certainly comprises a part of the setting of the Church and is of value to its significance and special interest.

6. Like many historic villages situated in largely rural areas, Childswickham thins out towards its edges into the surrounding countryside. Located towards the southern extremity of the village, the open, undeveloped nature of the appeal site reinforces its connection with the CA's more rural surroundings. The local development pattern is defined by loose-knit traditional vernacular buildings along The Cross that are set in large gardens. The Old Mill conforms to this established pattern, while its grounds are amongst the undeveloped spaces and garden plots that contribute to the rural character that is of value to the special interest and significance of the CA as a whole.

7. The former mill site has been subject to change, including to residential use and diversion of the water. Ostensibly, however, the appeal site has formed part of the lands associated with The Old Mill, and remained undeveloped, since at least the late 19th century. The relationship between the former mill and its associated land reflects the site's historic use as a corn mill and, in spite of changes, legibility of an historic physical and functional relationship has endured. This, in turn, underpins an important aspect of the CA's social and historic CA's evolution, adding to its special interest and significance.

8. The proposed development would truncate the existing garden plot associated with The Old Mill and introduce a detached, one-and-a-half storey, three-bedroomed dwelling. The new dwelling would be set back from The Cross behind existing hedgerow boundaries, a front garden and turning area. A detached garage/store would be to one side and towards the rear of the dwelling, beyond which would be a rear garden and brook.

9. The proposal would be positioned awkwardly in relation to the site's respective boundaries, uncomfortably squeezed in, causing built form to dominate. It may be that the development has been moved away from the Church and areas at risk of flooding, but it would extend across virtually the entire width of the plot. Even at 1.5 storeys, the proposed new dwelling would still be. Even if The Old Mill would retain a reasonable-sized garden, the proposal would weaken the appeal site's characteristically green and spacious qualities and cause built form to dominate. In turn, the established development pattern of this part of the CA, characterised by dwellings set in large plots, would be undermined.

10. The proposed dwelling itself would have a U-shaped plan form and designed to mimic a 'typical farmyard', where the dwelling would appear as a stone walled 'threshing barn' and 'stable', with the garage 'a farm outbuilding'. In isolation, the design and material palette of the proposal would be of high quality. That said, the site would not be used for agriculture, nor would it be subsidiary to the former mill. There is architectural diversity in the area, including in respect of materials and building style. Even so, I fail to see how the design of the proposed dwelling would reflect the dynamic character of the surrounding village or be sympathetic to a site that has evolved as part of a former corn mill. Even if historically sheds and stables may have been present on the wider

site associated with the former mill, I judge that the agricultural aesthetic proposed in this instance would appear contrived and harmfully out of place.

11. The latest design has reduced the overall size and scale of development compared with a previous iteration. However, even with the retention of existing and supplementary boundary vegetation, the site's contribution to the greening and spaciousness of the CA would still be markedly diminished. Moreover, the proposal would change the relationship between the appeal site, the brook and the former mill building that, even with changes, has endured over centuries.

12. Whilst reasonably localised in its extent, and notwithstanding boundary planting, the proposal would be an uncharacteristic domestic intrusion on the appeal site. Such an intrusion would obscure legibility of the surviving historic plots, and the contribution gardens and open spaces make to the CA as a whole. In turn, the proposal would reduce the degree of separation between the Church and the developed core of the village, irreversibly diluting the sense of isolation that underpins part of its significance and special interest, which would not be preserved.

13. It follows that the proposed development would cause harm to the character and appearance of the area; fail to preserve or enhance CA; and fail to preserve the setting of the Grade II* listed Church, causing harm to its special interest. Considering the scale and nature of the proposals, the degree of harm to the significance of the heritage assets in this case would be less than substantial. Paragraph 196 of the Framework indicates that this harm, in each instance, should be outweighed by wider public benefits.

14. In a national context that seeks to boost housing supply, there would be social benefits associated with the provision of one new dwelling inside the development boundaries of Childswickham. Although intended as a new residence for the appellants, there would be benefits in contributing to delivering a wide choice of homes in the District. There would be economic benefits, mostly during the construction phase. Future occupiers of The Old Mill Lodge could potentially support services and facilities in the village and feed into the local economy. Even so, the cumulative benefits associated with just one dwelling, even if built to lifetime home standards, would be modest.

15. The impetus for the development comes, principally, from the appellants' wish to downsize whilst continuing to reside in Childswickham, where they have long-standing social and family ties, and on land they already own. Although there may be some local support for the proposal, ultimately it would be to satisfy personal needs and wants, which are not of public benefit.

16. Weighing heavily against the scheme is the material harm it would cause to the character and appearance of the area, the CA, and the significance of special interest of the CA the Grade II* listed Church. There is no suggestion that the appeal scheme would be necessary to secure the optimum viable use of the designated heritage assets and, even cumulatively, the scheme's public benefits would not be sufficient to outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.

17. The proposed development would fail to accord with policies SWDP 6, SWDP 21 and SWDP 24 of the South Worcestershire Development Plan, adopted

February 2016 (SWDP) insofar as these seek to ensure development integrates effectively with its surroundings, reinforce local distinctiveness and conserve heritage assets and their settings. There would also be conflict with the historic environment policies within the National Planning Policy Framework, revised February 2019 (the Framework).

Other matters

18. I note that approval for 250 mobile homes has been granted on a site to the south east of the Church. However, that site is not within the boundaries of the CA and I do not know the specific planning considerations in that case. I see no reason why a scheme that my advance development closer to the Church from one side would justify allowing harm to advance from the other and this has not altered my overall conclusion.

Conclusions

19. The proposed development would fail to accord with the expectations of sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990. The public benefits in this case would not outweigh the less than substantial harm to the significance of designated heritage assets. I therefore do not find material considerations indicate the proposals should be determined other than in accordance with the development plan. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR