



Appeal Decision

Site visit made on 20 September 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 03 October 2022

Appeal Ref: APP/Y3940/W/22/3295341

Rear of 86 & 87 Church Street, Great Bedwyn SN8 3NX

- 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 Alex Murray against the decision of Wiltshire Council.
 - The application Ref PL/2021/10170, dated 27 October 2021, was refused by notice dated 4 March 2022.
 - The development proposed is the erection of a single storey three bedroom house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the setting of 86 and 87 Church Street, as Grade II listed buildings, and whether or not the proposal would preserve or enhance the character or appearance of the Great Bedwyn Conservation Area.

Reasons

3. The appeal site comprises a parcel of land along Back Lane, which historically formed part of the rear gardens to 86 and 87 Church Street, both of which are grade II listed. The site lies within the Great Bedwyn Conservation Area (CA), as well as the North Wessex Downs Area of Outstanding National Beauty.
4. The CA encompasses the village of Great Bedwyn, a small settlement located towards the eastern edge of the Kennet District. The village broadly follows a cruciform layout, an arrangement which is thought to date back to Saxon times. It is now predominantly residential in nature, with much of the housing conforming to clear ribbons of development which lead out from the centre. Whilst much of the built form within the village is tightly spaced, the density of development does decrease as the settlement spreads outwards from the centre.
5. The CA's significance is also derived from the surviving architecture of its historical buildings, examples of which include the listed buildings along Church Street. Indeed, nos. 86 and 87 Church Street are a pair of estate cottages, thought to date back to c1870. They are one of three pairs of similar cottages, which run south from the junction of Church Street with Back Lane. The cottages are each two-storey, and are characterised by diaper brickwork, with buff brick dressings and decorations.

6. Whilst much of the significance of the cottages is derived from their architectural detailing, their long and linear gardens (particularly those to nos. 84 – 87), provide a distinct sense of space to the rear of the properties. Although the land is heavily overgrown, it is abundant with trees, hedgerow and other fauna, which also adds a strong verdancy to the site. This sense of space and verdancy is readily apparent along Back Lane, as well as from views into the lane along Church Street, and acts as a welcome contrast to the tighter and more compact grain of built form to the north of Back Lane. In turn, this contrast adds further prominence to the cottages, which helps amplify their overriding significance.
7. The proposed development would introduce a single storey house within the appeal site, which would be accessed from Back Lane. Irrespective of the design merits of the proposal, the new dwelling would occupy a substantial footprint, leaving very little amenity space around its perimeter. In turn, it would dominate the land to the rear of nos. 86 and 87, significantly undermining the existing sense of space to the rear of the cottages. The new dwelling would also necessitate the removal of extensive greenery from the land, thereby eradicating much of the verdancy which characterises the site. The loss of both space and verdancy would detract from the wider setting of the two listed cottages, which would harm their significance.
8. This impact would be readily experienced along Back Lane itself, as well from various vantage points along Church Street, in particular at its junction with Back Lane, and to a lesser degree through glimpsed views between the pairs of cottages. In turn, the proposal's harmful impact on the setting of the listed buildings would be felt within the wider CA as well.
9. For these reasons, the development would harm the significance of the listed buildings, and would also fail to preserve or enhance the character and appearance of the CA. Whilst I consider this harm would be less than substantial given the limited scale of the proposal, as per the National Planning Policy Framework (2021) (Framework), great weight must be attributed to any harm to a heritage asset (in this case both the listed buildings and the CA), irrespective of whether such harm is "less than substantial" or otherwise.
10. In policy terms, the proposal would conflict with Policies 57 and 58 of the Wiltshire Core Strategy (2015). Together, these require new development to contribute to a strong sense of place, through design which is sympathetic and complementary to the locality. Development must also protect, conserve and where possible enhance the historic environment, including designated heritage assets and their settings.

Planning Balance

11. The Council cannot demonstrate a five-year supply of deliverable housing, which means its policies relating to delivery of housing are out of date. This means paragraph 11(d) of the Framework is engaged. Nonetheless, pursuant to paragraph 11(d)(i), permission need not be granted where policies in the Framework that protect areas or assets of particular importance (in this case the listed buildings and the CA), provide a clear reason for refusing the development.
12. As already alluded to above, paragraph 199 of the Framework says great weight must be given to the conservation of any designated heritage assets

when considering the impact of a proposed development on their significance, irrespective of whether any potential harm amounts to substantial or less than substantial harm. In the case of less than substantial harm, paragraph 202 of the Framework says that harm should be weighed against the public benefits of the proposal.

13. The proposal would contribute to the Council's housing stock, and whilst any increase is desirable, the net addition of one dwelling would only be a modest contribution in this instance. Similarly, the economic and social contribution to the village that would arise from a single dwelling would only be minor. Consequently, the public benefits of the proposal are only modest, and would not be sufficient to outweigh the great weight which must be attached to the harm to both the listed buildings and to the CA. In turn, the policies in the Framework do provide a clear reason for refusing the development, and the presumption in favour of sustainable would not apply.

Other Matters

14. The appellant alleges that the impact of the proposal would be comparable to that of other recent residential developments near to the appeal site. Irrespective of any similarities in terms of form and substance, the harm in this instance would be very specific to the significance of nos. 86 and 87 Church Street as grade II listed buildings, and consequently, to the wider character of the CA. In turn, these examples would not set any particular precedent that would justify approval of the proposal.
15. Whilst I note several of the existing trees on the appeal site may need to be removed owing to disease, any replacement trees or other replanting would not be contingent on the proposal going ahead. In turn, this factor only carries limited weight in my decision. In any event, it is not just the loss of verdancy that would harm the setting of the listed buildings and the CA in this instance, but also the loss of space.

Conclusion

16. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal should be dismissed.

James Blackwell

INSPECTOR