



Appeal Decision

Site visit made on 7 November 2022

by E Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2022

Appeal Ref: APP/B3030/D/22/3301071

Home Farm, Main Street, Kirklington, Nottinghamshire, NG22 8ND

- 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 and Mrs Turner against the decision of Newark and Sherwood District Council.
 - The application Ref 22/00504/HOUSE, dated 8 March 2022, was refused by notice dated 24 May 2022.
 - The development proposed is described as a proposed detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the proposal is in a conservation area and relates to the setting of a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are whether the proposal would preserve or enhance the character or appearance of the Kirklington Conservation Area, and whether it would preserve the setting of the nearby Grade II* listed building Church of St Swithin, Newark Road (Ref: 1045490).

Reasons

The conservation area and the setting of the listed building

4. The appeal site comprises the semi-detached dwelling at Home Farm and its front and rear garden areas. It fronts on to Home Farm Lane, close to its junction with Newark Road, and is opposite the Church of St Swithin and its churchyard. It has a deep fenced front garden area which follows the curve of Home Farm Lane and projects forwards of the front garden of the adjoining dwelling at Holly House to the south.
 5. The appeal site is within the Kirklington Conservation Area. This covers much of the linear village and has a long established rural village character and scale with a uniformity arising from the use of red brick and traditional materials. It is also dominated by the impressive Church of St Swithin and its extensive churchyard.
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6. Thus, I consider that the significance of the conservation area, in so far as it relates to this appeal, is derived from the quality and variety of the historic buildings there and their relationship to each other.
7. The appeal property makes up one half of a historic farmhouse considered by the Council to date to the 18th century. Although it has been extended and divided into two properties, the building remains an example of an agreeable traditional former farmhouse which attests to the village's rural character. This is acknowledged by the Council's identification of Home Farm as a building of local interest. It is considered to have a degree of significance because of its local heritage interest and as such is a non-designated heritage asset under the terms of the National Planning Policy Framework (the Framework).
8. As a surviving example of a former farmhouse built of traditional materials typical of the surrounding area, Home Farm is an attractive component of the village that adds to the richness of the conservation area. As such, along with the other long established buildings nearby, the authenticity and historic charm of the appeal building contributes positively to the character and appearance of the conservation area and its significance as a heritage asset in relation to this appeal.
9. The nearby Church of St Swithin is Grade II* listed. This impressive medieval parish church dates to the 13th century with 14th, 15th, 17th and early 19th century additions/alterations. Built of ashlar dressed coursed rubble, red brick and some render with slate roofs it has a substantial chancel and tower with four pinnacles. Set in a generous and leafy churchyard which fronts on to Newark Road it is a distinctive feature of the rural village. In so far as relating to this appeal, the significance of the church is derived from its architectural and historic interest as an important long standing place of worship, along with its role in the settlement and relationship with the rest of the village.
10. The setting of the church, and the contribution that it makes to the significance of that asset, in so far as it relates to this appeal, is derived mainly from the historic character of the village townscape and the traditional buildings in this part of Kirklington. This contributes positively to the understanding and the special interest and significance of the church along with the ability to appreciate it.
11. The Framework defines setting as the surroundings in which a heritage asset is experienced. The appeal property is on the other side of Newark Road from the church a short distance from the entrance to the cul-de-sac at Home Farm Lane. It sits behind the adjoining southern part of the building at Holly House which has a traditional façade facing out onto Newark Road. Despite this orientation and the intervening fencing associated with the division of the building into two dwellings, that part of the site in front of the appeal building is visible from Newark Road down Home Farm Lane.
12. Accordingly there is some inter-visibility between the frontage of the appeal property and the churchyard and the church beyond. Additionally, some contextual views of the church looking back towards Newark Road from Home Farm Lane include the appeal site. Thus, the appeal site has a visual relationship with the church and with the village townscape, and therefore contributes to its setting. I have had special regard to this matter in considering this appeal.

The effect of the proposal

13. The proposed detached double garage would be sited in front of Home Farm some 3 metres from the front of the dwelling and adjacent to the site's northern boundary. It would measure approximately 8.7 metres by 5.8 metres with a pitched roof to the height of 4 metres overall, and an eaves height of 2.37 metres.
14. The garage would be built in red brick with timber cladding and a pantile roof and I appreciate that it has been designed to reflect the farm buildings typical of the area. Nevertheless the proposal would introduce a large and bulky building to the currently open site frontage. Although it would not be disproportionate to the size of the relatively large four bedroom host dwelling, it would be sited in a highly prominent and conspicuous position in front of the building and at rather close quarters to it.
15. As a result of its size and position, it would appear dominant in relation to the host building, and would in part obscure its front elevation in views from Home Farm Lane. Despite its use of traditional materials, I consider that it would be appreciated as an overtly suburban feature that would detract from the host building's appearance as a historic farmhouse.
16. Even in the context of the tall front boundary fences associated with the appeal building and its adjoining neighbour at Holly House, the proposed garage would be visible in views down Home Farm Lane from Newark Road. It would also be obvious in Home Farm Lane itself and in the street scene there. The properties on Home Farm Lane in the vicinity of the appeal building have open frontages and the lane has a relatively open and informal character commensurate with its rural village location. There are no other examples of outbuildings forward of the main front elevations of the properties there.
17. This being so, the proposed garage would be seen as an incongruous feature in the street scene that would appear at odds with the pattern of development that characterises Home Farm Lane. It would also be appreciated as a distracting and alien feature in views to and from the listed church.
18. Bringing matters together, in introducing a prominent and unsympathetic building to the appeal site within the setting of the nearby historic church, for the reasons given the proposal would unacceptably detract from both the host building and the surrounding traditional townscape. Thus it would diminish the contribution of the setting of that listed church to its significance. For these reasons I find that the proposal would fail to preserve the setting of the nearby listed church.
19. In undermining the setting, which also contributes to the historic significance of the conservation area, the proposal would also detrimentally affect how the conservation area is experienced. I therefore consider that the proposal would cause harm to the significance of the conservation area and would fail to preserve its character and appearance.

The heritage balance

20. I therefore conclude on the main issues that the proposal would fail to preserve the significance of the conservation area and would not preserve the setting of the nearby listed building. I give this harm considerable importance and weight in the balance of this appeal.

21. The Framework advises at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
22. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Paragraph 202 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
23. The building would provide secure domestic storage for the appellants and their family. These are private benefits only and no public benefits have been put to me. This being so, I find that the proposal would result in no public benefits that would outweigh the harm to the significance of the designated heritage assets I have identified.
24. The proposal would be contrary to Policy CP9 of the Review of the Newark and Sherwood Local Development Framework Core Strategy and Allocations Amended Core Strategy (Core Strategy) which seeks to achieve a high standard of sustainable design. It would also conflict with Core Strategy Policy CP14 which aims to preserve and enhance the character and appearance and setting of heritage assets and the historic environment.
25. Furthermore the proposal would be at odds with Policy DM5 of the Newark and Sherwood Local Development Framework Allocations and Development Management Development Plan Document (A&DM DPD) which relates to design and requires the local distinctiveness of the district's landscape and character of built form to be reflected in new development. It would fail to support A&DM DPD Policy DM6 which states that planning permission will be granted for householder development provided that it reflects the character of the surrounding area including its local distinctiveness, or Policy DM9 which seeks to protect and enhance the historic environment.
26. Additionally the proposal would be at odds with the Council's Household Development Supplementary Planning Document which recognises that poorly designed and sited garages can give rise to detrimental impacts on the appearance of the host dwelling and the character of the surrounding area.
27. Thus overall the proposal would fail to satisfy the requirements of the Act and paragraph 197 of the Framework and would be in conflict with the development plan.

Conclusion

28. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be dismissed.

E Worthington

INSPECTOR