



Appeal Decision

Site visit made on 8 August 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal Ref: APP/N3020/W/23/3317847

135 Main Street, Calverton, Nottinghamshire NG14 6FE

- 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 Mike Milner against the decision of Gedling Borough Council.
 - The application Ref 2022/0835, dated 19 July 2022, was refused by notice dated 16 January 2023.
 - The development proposed is a full planning application for the erection of two single storey dwellings with private access driveway and the conversion of the former smithy to a separate, stand-alone studio workshop falling within planning use class E (commercial, service and business use).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form stated that outline planning permission was being sought for the development. However, during the application process, the appellant and Council agreed that it would be made a full application and I have dealt with it on that basis. I have therefore used the description of development given by the Council in its decision notice and on the appellant's appeal form.

Main Issue

3. The main issue is the effect of the development on the character or appearance of the Calverton Conservation Area and on the setting and significance of nearby heritage assets including a Grade II listed building.

Reasons

4. The appeal site relates to land and an outbuilding associated with 135 Main Street (No.135), a Grade II listed dwelling, located within the settlement of Calverton. The largely rectangular plot runs from Main Street in a southerly direction with the house and outbuilding located near to Main Street and associated land at the rear. It is located within the Calverton Conservation Area (CA).
5. The CA centres on historic properties and plot boundaries mainly located along Main Street which forms the historic core of this rural settlement. The Conservation Area Appraisal (2007) (CAA) describes the settlement as a rural farming and framework knitters' community with sizeable parts of the historic settlement remaining along the main thoroughfare of Main Street. It comments that although most of the farmland immediately to the south of Main Street has been developed, several remaining groups of farmhouses and farm workers cottages remain, often clustered around narrow trackways leading out of the

village. Main Street is considered to give the village a clear sense of character despite nearby modern developments. Based on the CAA and my observations, I consider that its significance is mainly drawn from the range of built development within it, and the relationship of the buildings to each other and the spaces around them. The location of the historic dwellings, and their relationship to their plots and the wider rural area, are a key part of that significance.

6. No.135 and its plot are identified on numerous occasions within the CAA as contributing to the character and appearance of the area. Specifically, it notes: *'From Main Street at the junction of Woods Lane, one is able to look across the garden of 135 and through to the old orchard and countryside beyond, with the gable end of 133 Main Street visible at the edge of sight. This, as with the views of the playing field, is one of the few that serve to provide a fitting rural setting to the historic buildings in this part of the Conservation Area uncompromised by modern infill'* (paragraph 4.15). Paragraph 3.12 also notes that the position of the house with its gable facing the road and backing onto a historic trackway to make the best use of the land is recognised as a characteristic feature of the historic settlement. Furthermore, the CAA identifies the land within the plot to the rear of the house as being an important area of open space (Map 4) and identifies key views and vistas across the plot (Map 5).
7. My visit largely corroborated the findings of the CAA in relation to the appeal site and its context. Although the settlement has a mix of property types, ages and designs, and some more recent areas of residential development, the historic settlement form and its many historic properties strongly define the character and appearance of the CA. The historic properties set in long, narrow plots along Main Street, the siting of the buildings towards the plot frontages and open land to the rear all noticeably contribute to the historic rural character of the area as well as creating a feeling of openness. The clustering of these linear plots around the appeal site provides a clear reminder of the settlements historic form.
8. There is no doubt that the view from Main Street of No.135 set within its linear plot makes a positive contribution to the character and appearance of the CA, and from what I have read and seen on site it plays a major role in defining the area's historic significance. Its key features are the position of the dwelling close to the road frontage, backing on to the historic track, its visual relationship with the former smithy and the views through to the open space behind and the vegetation beyond. Despite the more recent residential developments nearby, these cannot readily be seen when looking across the appeal site from Main Street. From what I saw on site, these developments only really become noticeable when standing within the plot towards the rear of the listed building.
9. No.135 Main Street, listed in 1987 (Ref:1227475), dates from the late 18th century and is a two storey dwelling in whitewashed brick with a pantile roof. The list description mentions that it is a building of four bays with mainly casement windows and segmental heads to the ground floor and a small brick hood above the left-hand door. It should be noted that list descriptions are primarily for identification purposes only and do not provide an exhaustive or complete description of the special interest or the setting of those buildings. Therefore, the comment that the building survives substantially intact is just one factor contributing to the building's significance.

10. Based on the evidence before me, including the list description and my own observations, I consider that the special interest/significance of the listed building is largely derived from its age, historic fabric, form, its architectural features and function. Its long linear plot originally leading out to the countryside, its remnant historic orchard to the rear and its connection with the former smithy all form part of the listed building's special interest/significance. Insofar as it relates to the appeal site, the listed building is mainly experienced from Main Street and from the interconnected views both within and across the appeal site. These are the surroundings in which the listed building is experienced and appreciated, and these views directly contribute to its special interest/significance. Any development within this plot therefore has the potential to impact on the contribution that the setting makes to its significance.
11. The former smithy is a single brick outbuilding with a mono-pitch pantile roof, backing onto a larger, neighbouring property. I saw during my visit that it still contains evidence of smithy fixtures and fittings. The evidence before me indicates that this property was placed on the Gedling Borough Local Heritage List following a public consultation process. From what I have seen, I am satisfied that the historic quality of the appeal property is sufficient to identify it as a non-designated heritage asset (NDHA) and this accords with The National Planning Policy Framework (the Framework) and the Planning Practice Guidance. The Council's conservation officer also identifies this property as lying within the curtilage of the listed building, but I do not have adequate information before me to take a view on this matter. For the purpose of this appeal, I consider that the building's significance is derived from its form, fabric, architectural detailing and its historic function. It is viewed in the context of the road frontage along Main Street and in association with the listed building and its long linear plot.
12. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to the duty imposed by section 72(1) of the Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Paragraph 189 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
13. The development would comprise the construction of two single storey dwellings towards the rear of the plot, located one behind the other. They would share a similar L-shaped plan and form, and their designs would be based on a 'barn style'. The existing access off Main Street would be enlarged by removing the brick gate pillars and a new access road would run between the small, enclosed garden to the house frontage and the former smithy, and then continue along the western boundary, incorporating a turning head between the proposed dwellings. The former smithy would be converted into a stand-alone studio workshop with three dedicated parking spaces alongside the access drive.
14. The siting of the two dwellings, the construction of the driveway and the provision of car parking would have a significant impact on the character and appearance of the plot. To the rear of the existing buildings, the green, open

plot and its remnant orchard would be replaced with a substantial area of buildings and hard surfacing. Although the proposed dwellings would only be single storey, their proposed siting across much of the width of the plot would largely sever the significant views along the length of the plot through to the mature trees to the south; including the large sycamore tree on the site which is proposed to be retained. Furthermore, the rising ground levels to the rear of the existing dwelling would further increase their visible presence within the site.

15. The historic plot which is so clearly identified within the Council's CAA as making a significant contribution to the area's historic settlement form would be irreversibly altered and its rural, open character would be replaced by a built development making it noticeably more urban. It would harm not just the historic character of this plot but also erode the contribution that this cluster of traditional plots makes to the wider character and appearance of the area. Although the proposed buildings would be to the rear of No.135 and the former smithy, views of the new buildings would be clearly seen from Main Street, made more noticeable by the enlarged site access and new drive.
16. The setting of the listed building would also therefore be irreversibly harmed. The position of the proposed dwellings would deprive the building of its open rural setting within its plot and erode its historic functional connection with the land. Furthermore, the listed building would be left with just a parking area alongside Main Street and a small front garden, and the enlarged access and drive and parking adjacent to the former smithy would further erode the historic character of the plot as well as impact the close visual connection with the former smithy. Despite the presence of nearby, more recent residential developments, I have already noted that these are not readily seen until you are stood in the plot towards the rear of the listed building. The main views of the listed building are from Main Street which are not detrimentally impacted by this nearby development unlike the appeal proposal which would be directly behind and much closer.
17. Whilst it is suggested that the proposed dwellings would be subservient to the listed building, the appellant's section plan demonstrates that the ridge height of the proposed dwellings would be higher than the listed building. Therefore, the combined effect of their siting across the width of the plot and their overall height would increase their dominating presence on the listed building. Although the proposed dwellings would be designed to reflect agricultural outbuildings, their siting within the plot appears to show no regard to the more traditional siting of agricultural outbuildings which would be more typically nearer to the dwelling or grouped to form a courtyard area. Therefore, the proposed development as a whole would irreversibly alter the way that the listed building is experienced and appreciated, and its significance would be eroded.
18. Although the proposal would sensitively repair and re-use the former smithy, the intimate relationship between it and the listed building and its rural, open backdrop would be altered by the combined effects of the proposed development, including the drive which would run close to its frontage. The proposed development would therefore have a harmful impact on the contribution that the setting makes to its significance.

19. Considering all of the above, the proposal would have a harmful impact on the character and appearance of the CA and on the contribution that the setting makes to the special interest/significance of the listed building. Therefore, in respect of the CA and the listed building, the expectations of the Act are not met. Paragraph 199 of the Framework advises 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 alteration or destruction of the asset or from development within its setting and any harm should have a clear and convincing justification. As I have found harm to the significance of a NDHA, paragraph 203 of the Framework requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
20. I find the harm in the context of the significance of the designated heritage assets as a whole, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal. Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
21. The appellant is of the opinion that the proposal would be beneficial because the renovation of the former smithy and its re-use would ensure its long-term protection. However, although I recognise that the building fabric requires some repair, I have no adequate evidence that the appeal proposal is essential to achieve this or that without it the heritage asset would fall further into disrepair. Therefore, whilst the renovation can reasonably be considered as a public benefit this latter factor limits the weight that can be attributed to it.
22. The development would provide two dwellings and a studio workshop within an established residential area, which the appellant suggests is identified as a key settlement for growth which has a good range of services and facilities and is in an accessible location. It is suggested that the dwellings would be of high-quality design, suitable for people to downsize, and provide ease of access for the lifetime of occupiers. The studio workshop would also provide a small, conveniently located place of employment. The development as proposed would also have some social and economic benefits during construction and occupation. However, given the size of the development proposed, these public benefits would be modest in scale. I also have insufficient evidence of a local housing need for smaller bungalows.
23. Whilst the host dwelling has a substantial rear garden which may now be surplus to the requirements of the current occupant, there is inadequate evidence that the continued viable use of No.135 as a residential dwelling is dependent on this proposal as the building has an ongoing residential use that would not cease in its absence.
24. Given the above, I conclude that the public benefits would be of insufficient weight to outweigh the great weight to be given to the harm to the designated heritage assets. As such, the proposal would not comply with paragraph 202 of the Framework. In addition, there is no clear and convincing justification for

the harm to the significance of the designated heritage assets. Furthermore, I have found that the significance of the non-designated heritage asset would be materially harmed.

25. Consequently, the proposal would not comply with Policies LPD26, LPD27, LPD28 and LPD31 of the Gedling Borough Local Plan (2018) and Policy BE5 of the Calverton Neighbourhood Plan (2017). Amongst other things, these policies seek to ensure that new development protects the significance of heritage assets including their setting. I consider that these policies are broadly consistent with the Framework, and the conflict with them has significant weight. As a result, the proposal would not be in accordance with the development plan as a whole.

Conclusion

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

G Bayliss

INSPECTOR