



Appeal Decision

Site visit made on 12 September 2023

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/B3030/W/23/3319376

Land adjacent Ivydene, Main Street, Weston, Nottinghamshire NG23 6ST

- 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 N Gaskin against the decision of Newark & Sherwood District Council.
- The application Ref 22/02423/FUL, dated 18 December 2022, was refused by notice dated 28 February 2023.
- The development proposed is erection of 5 bed dwelling and garage block.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to Chestnut Grange as a non-designated heritage asset.

Reasons

3. The appeal site comprises two dilapidated outbuildings located on scrubland which sit behind a brick retaining wall that runs along the frontage with Main Street. It sits in an elevated position compared with the road, situated between Chestnut Grange to the west and Ivydene to the east. The appeal site is located in the historic core of the village with the surrounding area mainly residential in character. Other properties within the locality are generally single or 2-storey in scale. The exception to this is Chestnut Grange which is 3-storey. The surrounding properties do vary in age, design, massing and density but the prevalence of cottage style dwellings does add positively to the rural character of the settlement.
4. The Council state that Chestnut Grange is a non-designated heritage asset. The appellant asserts that limited evidence has been provided as to the significance of Chestnut Grange, although their submitted Heritage Impact Assessment does identify moderate to minor adverse impacts to the setting of undesignated historic buildings, including Chestnut Grange.
5. The works to Chestnut Grange itself and the modern residential development nearby have altered both the building and its setting. However, the square plan of the building and the architectural origins remain legible. The front and side boundary treatments do largely screen the ground floor of Chestnut Grange. Nevertheless, the first and second floors are clearly visible in the view along Main Street from both directions and due to its siting and scale, it is prominent in the streetscene. Whilst there is no longer a functional connection between

the building and the church, the historical relationship still contributes to the character of the settlement. I am therefore satisfied that Chestnut Grange is of sufficient historic interest to be identified as a non-designated heritage asset.

6. I consider that the significance of Chestnut Grange is its traditional Georgian architectural detailing along with its 3-storey scale which signifies its importance to the settlement historically, in terms of its role as the rectory. The building is also a prominent feature in the streetscene which adds positively to the character and appearance of the area.
7. The National Planning Policy Framework (Framework) requires at Paragraph 203 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application and requires a balanced judgment having regard to the scale of any harm or loss and the significance of the asset.
8. Whilst the proposed dwelling would be set back within the plot, it would, due to its elevated position, height, proportions, massing and design, be overly dominant in the streetscene. Whilst other traditional cottages within the locality are not identified as non-designated heritage assets, they do still contribute positively to the character and appearance of the area. The proposal, for the above reasons, would be at odds with the prevalent scale of development and the character of the area.
9. The appeal site no longer forms part of the curtilage of Chestnut Grange. Nevertheless, it still forms part of its setting and remains important to how the non-designated heritage asset is experienced. The openness of the appeal site currently, does enable views towards Chestnut Grange when approaching from the east and allows the building to maintain its prominence in the streetscene. The proposed dwelling, whilst it would be lower in height and set back from the building line of the front elevation of Chestnut Grange, it would, due to its siting, design and massing still visually compete with it. It would detract from the prominence of Chestnut Grange visually and would therefore be harmful to the significance of it.
10. The proposed width of the dwelling would be slightly less than that of Sunnyside Farm, which is located to the east of Ivydene. However, the overall height, the proportions and design of the roof and the pattern of fenestration would not follow the same simpler rural vernacular as that nearby dwelling. The appellant also refers to Ivy House Farm and The Lodge as other examples within the village that were used as reference points in the design of the proposed dwelling. Both dwellings appear to be of a different scale and design to that proposed. All three of the examples identified have a different relationship with Chestnut Grange being significantly more removed from it than the appeal site.
11. The appeal site is located to the west of the Grade II listed stable and pigeoncote which is linked to Sunnyside Farm. Under section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I must have special regard to the desirability of preserving the setting of the designated heritage asset in determining this appeal. The significance of the stable and pigeoncote relates to their architectural character and detailing as well as their historic use and the rural setting in which they are located. Given the lack of intervisibility and the separation distances retained, there would be no harm to the setting of the listed building as a result of the appeal proposal.

12. Notwithstanding this, I conclude that the proposal would be harmful to the character and appearance of the area and the setting of the adjacent Chestnut Grange, a non-designated heritage asset. The proposal would be contrary to Core Policies 9 and 14 of the Plan Review: Review of the Newark & Sherwood Local Development Framework Core Strategy & Allocations Amended Core Strategy (Adopted March 2019) and Policies DM5 and DM9 of the Newark & Sherwood Local Development Framework Allocations & Development Management Development Plan Document (Adopted July 2013). These policies seek, amongst other things, that developments contribute to and sustain the rich local distinctiveness of the district and that they conserve and enhance heritage assets and the historic environment.
13. The proposal would also be contrary to paragraph 130 and section 16 of the Framework which seek to ensure that new developments are sympathetic to local character and history and conserve and enhance the historic environment.

Other Matters

14. I understand that the Council did not object to the principle of development at the appeal site and that a Permission in Principle application has been approved previously. I also note that the proposal before me is an amended scheme following a previously refused application that was dismissed on appeal¹. Be that as it may, I must deal with this appeal on its individual merits.
15. I note that the Parish Council support the proposal. However, this has not led me to a different conclusion on the appeal in this case.

Conclusion

16. I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that indicate I should take a decision other than in accordance with it. Therefore, the appeal is dismissed.

G Dring

INSPECTOR

¹ APP/B3030/W/22/3313375