



Appeal Decision

Site visit made on 10 April 2024

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/P2365/W/23/3332026

**Tildsley's Farmhouse, Elmers Green Lane, Skelmersdale, Lancashire
WN8 7SH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Gummerson against the decision of West Lancashire Borough Council.
 - The application Ref is 2023/0187/FUL.
 - The development proposed is described as "erection of one three-bedroom single storey detached dwelling in the garden of Tildsley's Farmhouse".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against that updated national policy context, the relevant changes relate to formatting and do not raise any new matters which are determinative to the outcome of this appeal.
3. The emerging local plan has not yet reached a stage where it is capable of carrying any weight for the purposes of this decision.
4. The appeal site falls within the setting of a Grade II listed dwelling. Although listed as Beacon View, I am satisfied that as the listing description acknowledges, the property is also known as Tildsley's Farmhouse. I refer to the latter for the purposes of this decision, as that is what is cited in the current postal address. In making my determination regarding the effect on the setting of that listed building, I have exercised my statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The originally submitted Heritage Statement was updated in September 2023 to respond to the Council's decision in respect to heritage matters. As that updated evidence was submitted as part of the appeal, I am satisfied that other parties have had sufficient opportunity to respond to it. Therefore no interests have been prejudiced.
6. My attention has been drawn to an inconsistency between the Officer Assessment and Recommendation sections contained in the Council's Officer Report. I have relied on the outcome as being one of a refusal of planning permission because that was what is cited on the decision notice.

Main Issues

7. The main issues are:

- The effect of the appeal proposal on the character and appearance of the existing street scene; and
- whether or not the appeal proposal would preserve the setting or features of special architectural or historic interest of the Grade II listed Tildsley's Farmhouse.

Reasons

Character and appearance

8. The appeal site comprises part of the front garden area of a 2 storey detached dwelling. This early 18th century stone built former farmhouse is located on the edge of Skelmersdale. This property fronts onto Elmers Green Lane alongside other detached dwellings of varying designs, materials and heights. In the main, these have a contemporary urban character and appearance, having been constructed as part of the development of Skelmersdale as a New Town. Nonetheless, given its peripheral position and the undeveloped land beyond, this part of Elmers Green Lane has a more intimate, leafy rural character and appearance than that of the wider New Town. This resonates with the historic use of Tildsley's Farmhouse.
9. The proposed erection of an additional self-contained dwelling with associated driveway, parking and gardens would result in the subdivision of an existing generous plot. The proposed design solution seeks a form of development akin to a single storey stone built barn clustered within the nucleus of a traditional farmyard.
10. The degree of physical separation between the existing and proposed dwellings coupled with the visual signs of the occupancy of the latter as a dwelling would cause them to be read as 2 separate residential plots. This change would be apparent on approach in both directions along a short stretch of this part of Elmers Green Lane.
11. Both properties would have a good level of outdoor garden space and parking. This provision would not be dissimilar to that of the surrounding dwellings. Furthermore, the positioning of the proposed dwelling on intervening land between the existing dwelling and the lane would not be inconsistent with the placement of detached garages within this part of Elmers Green Lane.
12. The proposed design, scale, form, external materials, orientation and layout would not be jarring with the existing surrounding built context. Furthermore, the appeal scheme would assimilate with the more rural character of Elmers Green Lane. Overall, although the appeal scheme would reduce the garden area associated with Tildsley's Farmhouse, the proposed design solution would not represent undue urbanisation of the existing plot. The visual effect of the proposed change within this street scene would be very localised. This is because of the juxtaposition of the proposed dwelling with its neighbours, its limited ridge height and the existing boundary vegetation.
13. For all of these reasons, the appeal proposal would not cause unacceptable harm the character and appearance of the existing street scene.

14. Consequently, the appeal proposal would not conflict with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document (the WLLP).

Setting of listed building

15. Tildsley's Farmhouse was listed in 1973. The submitted evidence indicates that its special interests include its historical and architectural significance, being an early 18th century stone built farmhouse. It is characteristic of the community of modest farms that originally populated the landscape in and around Elmers Green. The house shows a notable degree of architectural progressiveness in that it adopts a centralised plan and near-symmetrical façade. These features evidence the slow awakening to the fashionable Classical style which was percolating through early 18th century Lancashire. It is this early attempt at façade symmetry which represents the chief distinction of this designated heritage asset.
16. The earlier funnel-shaped farmyard entrance to the north has been replaced by a modern gated driveway to the front, where a paved and landscaped garden has also been established. A detached garage has been built immediately to the side of the farmhouse. Furthermore, the plot within which Tildsley's Farmhouse currently stands has greatly diminished in size, reflective of the cessation of its original agricultural function and the development of the New Town.
17. The development of the New Town means that the property is no longer experienced in its original rural surroundings. Nonetheless, this part of Elmers Green Lane has retained some of its rural character in terms of its appearance, intimacy and tranquillity. Furthermore, the placement of neighbouring dwellings coupled with the maturely planted side boundaries provide the property with a continued sense of isolation. The openness of the garden area and its low hedge lined frontage continue to afford a wide outward view from the farmhouse across to the lane and the undeveloped land beyond.
18. Collectively, despite the substantial changes that have occurred around this listed building, these aspects provide a continued reminder of the original rural setting and purpose of this former farmhouse. The fact that this setting has been substantially eroded increases the importance of retaining what still remains. This is so that the setting can continue to contribute towards the understanding and appreciation of the heritage significance of this early 18th century farmhouse. The listing description does not make reference to the setting of this asset. However, that does not undermine the importance of what remains of it.
19. The land to the front of the farmhouse is now a manicured garden area. However, the spaciousness and open nature are components of this part of the setting of the farmhouse which have survived. The proposed scheme would introduce built development within that space where historically there has been none. This would erode these remaining authentic components of the immediate setting which contribute to experiencing, understanding and appreciating the significance of this important designated heritage asset.
20. By virtue of its location and regardless of the merits of the design solution employed, the proposed dwelling would be an unwelcomed interruption within the historic undeveloped views that can still be experienced outwards from the

farmhouse. The appeal proposal would also significantly change the foreground setting and therefore erode approaching inward views of the farmhouse which can still be captured from the adjacent lane on approach from the north.

21. Furthermore, the appeal proposal would result in the further subdivision of the remaining land holding which is historically associated with the farmhouse. This would reduce and further fragment the historic land parcel within which this listed building stands and can be experienced, appreciated and understood.
22. Planning conditions seeking to ensure the proposed site boundaries are limited to an open plan layout and occupancy restricted to that of ancillary living accommodation would not adequately address my concerns.
23. In concluding on this main issue, I find that the proposal would not preserve the setting or features of special architectural or historic interest of Grade II listed Tildsley's Farmhouse. Therefore the proposal would fail to satisfy the requirements of section 66(1) of the Act in this regard. This carries considerable importance and weight.
24. In terms of the Framework, I find this identified harm would be less than substantial. In line with paragraph 205 of the Framework when considering the impact of development on the significance of a designated heritage asset, I give great weight to the conservation of Tildsley's Farmhouse.
25. Paragraph 206 of the Framework recognises that the significance of heritage assets can be harmed or lost through the alteration or destruction of the asset or development within its setting and that any such harm should have a clear and convincing justification. Paragraph 208 of the Framework requires that less than substantial harm to a designated heritage asset is weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
26. In terms of the public benefits that would be secured, the submitted evidence demonstrates that the appeal proposal would provide a self-build plot which would make a limited contribution to the housing land supply for an area which does not have a shortfall. A single dwelling would provide a limited benefit to the local economy at both the construction and occupation phases. The effective and efficient use of land, securing good design and beauty, social integration, compatibility with the site context and accessibility are all expectations of national and local policy to secure sustainable development. Therefore, I attach no weight to these matters in the necessary heritage balance. Furthermore, the submitted evidence does not indicate that there would be any public benefits associated with securing the optimum viable use of Tildsley's Farmhouse.
27. In weighing the identified heritage harm against these public benefits, that harm would not be outweighed. This outcome is due to the considerable importance and weight that I attribute to the further erosion of the setting of this Grade II listed building that would cause a loss of its significance. The identified heritage harm is therefore unjustified in terms of the approach to heritage set out in the Framework.
28. Consequently, in view of my findings the appeal proposal would conflict with Policy EN4 of the WLLP.

Other Matters

29. The submitted evidence states that the proposal would enable a family member to reside next to the appellant and provide a lifetime home. However, no details have been provided to demonstrate that there are specific personal needs that cannot be addressed by other means. Furthermore, the optional accessible homes standard to be implemented has not been clearly articulated. Consequently, I attribute limited weight to these private benefits.

Planning Balance

30. I have found that the appeal proposal would not harm the character and appearance of the street scene. There is nothing before me to cause me to disagree with the Council's assessment of the other technical matters.
31. The proposal would not preserve the setting of Grade II listed Tildsley's Farmhouse. The identified heritage harm would not be outweighed by the public benefits advanced so as to be justified. Therefore, the proposal would fail to satisfy the approach of both the Act and the Framework to this designated heritage asset and its setting. This unjustified heritage harm conflicts with the Policy ENV4 which sets out the Council's approach to the historic environment. That policy is consistent with the Framework.
32. In view of the considerable importance and weight attributed to the identified harm, the great weight attributed to the conservation of this asset and the resulting policy conflict, the proposal would not be in accordance with the development plan for the area when read as a whole. Furthermore, the matters weighing in favour of the proposal do not indicate that a decision should be taken contrary to the WLLP.

Conclusion

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

C Dillon

INSPECTOR