
Appeal Decision



The Planning Inspectorate

Site visit made on 26 November 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/H1840/D/24/3348660

The Willows, Sherrifs Lench, Evesham WR11 4SN

- 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 Mrs L Buxton against the decision of Wychavon District Council.
 - The application Ref is W/24/00284/HP.
 - The development proposed is a side and rear extension to form family annex.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the building and surrounding area, and on the setting of the listed building of The Cottage.

Reasons

Character and appearance

3. The appeal building is a cottage which possibly dates from the seventeenth or eighteenth century. It is considered to be a non-designated heritage asset by the Council because of its age and architectural significance. It has a large garden and is located in a rural area at the approach to the small settlement of Sherrifs Lench. The neighbouring dwelling of "The Cottage" is a timber framed thatched cottage and grade II listed building, dating from the seventeenth century. The buildings are prominent as a separate group in the street scene.
4. The Willows is a cottage with evidence of timber framing and has a linear form, with later additions. It has five bedrooms and an integral garage. The front elevation is characterised by small dormer windows with pitched roofs. The rear elevation is set into the hillside at ground floor level, and the lower part forms a retaining wall for the sloping garden.
5. The appeal dwelling was granted permission for a single storey side extension in 2004. The proposed side extension would be integral with the proposed rear extension and would be partly screened by flanking vegetation. It would appear out of character with the front elevation of the building and its small regularly sized front dormer windows. That is because it would have a large gabled frontage with a ridge height matching that of the building. The extension would

not appear subservient to the building when viewed from the highway because of the lack of a set-down from the roof ridgeline, contrary to advice in the South Worcestershire Design Guide Supplementary Planning Document.

6. The pitched roofs to the building and its additions give the cottage a distinctive and coherent architectural style. The rear elevation would be dominated by the proposed modern extension with its flat roof and unrelated design. The form, bulk and design of the rear extension would appear unacceptably discordant and out of character with that of the building as a whole.
7. I find that the proposed extensions would be harmful to the character and appearance of the building as a non-designated heritage asset. The proposed development would conflict with South Worcestershire Development Plan policies SWDP 6, SWPD 21 and SWDP 24 which together seek to ensure the conservation and design quality of heritage assets.

Setting of the listed building

8. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, special regard should be had to any features of special architectural or historic interest which it possesses. At Annex 2 the National Planning Policy Framework (The Framework) defines the setting of a heritage asset as the surroundings in which it is experienced.
9. The special architectural and historic interest of The Cottage derives from its age, timber framed bays and partly hipped thatched roof. The front elevation of the proposed side extension would be partly seen in conjunction with the front elevation of the Cottage when viewed from the highway. The size and form of the proposed side extension at the Willows would harm the general relationship of the two buildings in terms of their historic form and appearance. However, I consider that the harm to the listed building of The Cottage as a designated heritage asset would be limited and less than substantial.
10. Paragraph 208 of the Framework indicates that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. However, the benefits from the proposed side and rear extension would primarily constitute private benefits rather than public benefits and would not outweigh the harm to the setting of The Cottage as a designated heritage asset. The proposed development would conflict with South Worcestershire Development Plan policies SWDP 6, SWPD 21 and SWDP 24 which, amongst other things, seek to conserve and enhance the setting of heritage assets.

Other Matters

11. The appellant has indicated that the proposals would include measures to install a sustainable water harvesting system and the prevention of water ingress to the rear of the building. The building would also be insulated to modern standards. However, drainage improvements at the rear of the building, water conservation, and insulation could be achieved by other means and without dependence on the proposed extensions.

12. I acknowledge the appellant's desire to provide accommodation to enable a family group to live together and provide an elderly member with support. However, these considerations are insufficient reason to outweigh my findings that the proposal would have a significant harmful effect on the character and appearance of the building and less than substantial harm to the setting of The Cottage. The proposed development would conflict with the design and heritage objectives in the Framework and with the development plan as a whole.

Conclusion

13. For the reasons given above the appeal should be dismissed.

Martin H Seddon

INSPECTOR