



Appeal Decision

Site visit made on 16 October 2024 by Andreea Spataru BA (Hons) MA MRTPI

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2024

Appeal Ref: APP/B3030/D/24/3348239

Ivy Cottage, Main Street, Norwell, Nottinghamshire NG23 6JN

- 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 Colin Wright against the decision of Newark & Sherwood District Council.
 - The application ref is 24/00637/HOUSE.
 - The development proposed is described as 'replace existing garden shed with wooden store.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.
4. The description of development above has been taken from the Council's Decision Notice and the Appeal Form, rather than the Application Form, as it is more concise and reflects the proposal before me.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the setting of Ivy Cottage, a grade II listed building, and whether the development would preserve or enhance the character or appearance of the Norwell Conservation Area (NCA).

Reasons for the Recommendation

6. Ivy Cottage is a grade II listed building, located on the eastern side of Main Street, in the NCA. The appeal dwelling sits at a right angle in relation to the street and has a private drive and open space to the front. It also has a garden shed to the front, which is visible within the street scene.
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7. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area and preserving the setting of the listed building. In this respect, national policy on heritage assets is set out in the Framework. At paragraph 210, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
8. Core Policy 14 of the Newark and Sherwood Amended Core Strategy 2019 (CS) and Policy DM9 of the Newark and Sherwood Local Development Framework Allocations & Development Management Development Plan Document 2013 (LP) also reflect the statutory duty and the Framework.
9. The character of the NCA along the Main Street is largely defined by a mix of properties of various ages and scale; their siting in relation to the road also varies. The neighbouring properties located on the eastern side of Main Street are generally set back from the street and have considerable open space within their plots, including to the front. The open space contributes to the rural setting of the locality and is a positive feature that defines the character and appearance of this part of the NCA.
10. The listing description states that the two storey Ivy Cottage dates from the 17th century, and alterations followed in the 19th and 20th century. The building is constructed in brick with a steep pitched pantile roof. The building has a prominent gable, which faces the Main Street. The significance of the building derives from its age, special architectural interest, and prominent position within the village.
11. As defined within the Framework, the setting of a heritage asset is the surroundings in which the heritage asset is experienced. In this case, Ivy Cottage can be most readily appreciated from the land immediately surrounding the building, particularly when viewed from Main Street, and the open space at the front of the dwelling makes a positive contribution to its setting.
12. The proposed pitched roofed wooden store would replace the existing shed located to the front of dwelling. It would be sited close to the northern and eastern boundaries of the site and would be considerably larger than the existing structure. Although the store would be set back from the road and at some distance away from the main elevation of the host dwelling, it would nevertheless occupy a prominent position within the street scene as would introduce a much larger solid structure in an open setting. This harm is compounded by the siting of the shed closer to Main Street than the existing structure and as a result would draw the eye away from the heritage asset.
13. Accordingly, due to its scale and siting the development would appear as an incongruous addition which would be harmful to both the setting of the listed building and the appearance of the NCA.
14. The appellant has drawn my attention to several neighbouring properties that have structures on their plots, which I have observed at my site visit. However, I do not find the proposal directly comparable to those, particularly due to the difference in their siting in relation to both their host dwellings and the street. In any event, I do not have full details of those structures, and I have

considered the appeal scheme based on its own merits and site-specific circumstances.

15. Given that the appeal dwelling does not have a rear garden, I understand the appellant's desire to have some storage space within their plot. I also note that it is their intention to provide screening in the form of foliage to the front of the property. Given the evidence before me, I am unconvinced that storage cannot be accommodated in a less intrusive manner than the one proposed. Planting and landscaping would not be sufficient to mitigate the harm identified above.
16. In terms of the approach set out in the Framework, due to the scale of the proposal the harm to the significance of both the heritage assets would be less than substantial. In such cases, harm should be weighed against the public benefits of the proposal in accordance with paragraph 214 of the Framework.
17. No public benefits have been explicitly drawn to my attention and from the evidence before me, the benefits of the scheme would appear to be solely private. As such, I can give them very little weight in favour of the proposal. Considering that, I find that these benefits do not outweigh the harm that I have found. Therefore, the proposal would conflict with the aims and objectives of the Framework which seek to sustain and enhance the significance of the heritage assets.
18. Accordingly, the proposal would fail to preserve the setting of Ivy Cottage and would neither preserve or enhance the character or appearance of the NCA and as such would not meet the statutory requirements of the Act. I also find the proposal to be contrary to Core Policies 9 & 14 of the CS; and Policies DM5, DM6, and DM9 of the LP which, along with the aims of the Framework, collectively state that, amongst other matters, developments should complement the existing built environment.

Other Matters

19. I note that the proposal would not be detrimental to the living conditions of the occupiers of neighbouring properties, and I acknowledge the support that the appeal scheme has received from the local residents, including the Norwell Parish Council. However, these do not outweigh the harm I have found.

Recommendation

20. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole, and I recommend for the appeal to be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

21. I have considered all the submitted evidence, and my representative's recommendation, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR