Planning Inspectorate

Appeal Decision

Site visit made on 10 February 2025

by JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal Ref: APP/C3430/D/24/3346308
Ketley House, School Road, Trysull, Staffordshire WV5 7HR

- 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 Ms Beverley Lewis against the decision of South Staffordshire District Council.
- The application Ref is 24/00082/FULHH.
- The development proposed is the erection of a single storey oak framed entertainment annexe, within the domestic curtilage of a listed property.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposal would harm the significance of Ketley House and the Church of All Saints because of its effect on the settings of each of those listed buildings, and whether it would harm the significance of the Trysull & Seisdon Conservation Area[1] and fail to preserve the character or appearance of that designated asset.

Reasons

Ketley House

3. The Grade II listed Ketley House is a sizeable detached dwelling of timber framing and painted brickwork. While the listing says it dates from the early 17th Century, it has been altered and extended over the intervening years, displaying architectural elements and building techniques from a number of periods. Moreover, it stands in a large, comparatively open plot behind a relatively low boundary treatment, and so is highly prominent and distinctive when looking from School Road. Consequently, its special architectural and historic interest and its significance lie partly in its detailing, and also in its history, as it has been a dwelling of some status for many years.

4. Although what is before me would be smaller in every dimension than the main house, that of itself does not mean it would be read as a sympathetic, subservient outbuilding within the curtilage. Rather, when considering subservience, regard also has to be given to matters such as design and what it looks like. Although I am aware it is to be built of an oak frame, to my mind its scale, its hipped roof, its window treatment and its projecting porch mean the proposal would not allude to a functional outbuilding associated with this historic building. Rather it would relate

[1] It is also called the Trysull Conservation Area at points in the submissions

poorly to the main dwelling, appearing as a residential unit, and be overly domestic. As a result, it would be a discordant feature in the curtilage of Ketley House, and would confuse and dilute the understanding and experience of the listed building.

5. In coming to this view, I note that the appellant is willing to retain the hedge immediately next to the proposal in perpetuity. However, even if that occurred, this annexe would still be apparent as it would be taller. I also saw that a new dwelling is to the south of Ketley House, with no pronounced boundary treatment in between. However, the scale and design of that, coupled with the intervening distance, mean it is clearly a distinct and separate property that is not intended to be perceived as a subservient element to the listed building. As such, the issues it raises are not comparable to this scheme. Finally, the appellant has amended the development appreciably in an attempt to accommodate the Council's concerns, but I am to determine the appeal based on the proposal before me.

6. As a result, I conclude the proposed annexe would constitute a discordant and uncomfortable element within the curtilage of Ketley House, and the effect it would have on the setting of this listed building would cause harm, albeit less than substantial, to the significance of that designated heritage asset.

The church

7. The Church of All Saints is Grade II* listed. Dating back to the 12th Century, it has undergone major works on various occasions since. In so far as this appeal is concerned, its special architectural and historic interest lie in its age and detailing. Its significance is partly historical, as it has been the focus for this community, both spiritually and in other regards, for many centuries. However, it also enjoys an architectural significance, as its detailing reflects construction methods and styles over the years. The setting of this church very much comprises its surrounding graveyard, and, to a lesser degree, its location in the heart of the village, and these factors contribute positively to its significance, emphasising its role and use.

8. Although the proposal would be a change to the village's fabric, it would be on the south side of Ketley House, which, in turn, is to the south of the churchyard with a large lawn in between. Moreover, there is a substantial band of mature yews along the churchyard's southern boundary and, to a great extent, screening the appeal site. Consequently, given the intervening distance and its concealed nature, any effect the scheme would have on the setting of the church and how it was experienced would not result in harm to the significance of that designated heritage asset.

The conservation area

9. The character and appearance of the conservation area is defined to a great extent by the range of older, individually designed buildings it contains, which stand in plots of varying sizes and are spread along informal, winding lanes. Its significance therefore rests, in part, in the way it reflects the evolution over time of these small rural communities. Within this conservation area, Ketley House makes an important, positive contribution as a prominent and distinctive listed building.

10. Looking from the lane, although hedging and fencing in between would conceal the proposal to a degree when in front of Ketley House and in front of the gateway to Ketley Barn, it would still be apparent to some extent. Furthermore,

conservation areas need not be protected solely from the public domain and the annexe would be apparent from the neighbouring properties. As I consider Ketley House to be an important building in the historic village, then for the reasons given above concerning the harm the proposal would cause to the significance of that listed building, the scheme would also detract from the character and appearance of the conservation area. Accordingly, it would cause less than substantial harm to the significance of that asset.

Heritage balance

11. I have found less than substantial harm would be caused to the significance of both Ketley House and the conservation area. The *National Planning Policy Framework* (the Framework) says that great weight should be given to the conservation of heritage assets, and any harm to their significance should require clear and convincing justification. Moreover, if less than substantial harm is caused to the significance of any such asset, that harm should be weighed against the public benefits.

12. In this instance, the proposal appears to be mainly for the enjoyment of Ketley House residents. I am aware of no clear and convincing justification for the scheme, and no public benefits that would be sufficient to outweigh the harm identified.

Conclusion

13. I conclude that the effect of the scheme on the setting of Ketley House means it would cause less than substantial harm to the significance of that designated heritage asset. I have also found there would be harm, again less than substantial, to the significance of the conservation area. In the absence of any public benefits and any clear and convincing justification to outweigh this harm, the scheme would be contrary to Policies EQ3 and EQ11 in the *South Staffordshire Local Plan Core Strategy DPD* and also the Framework, all of which seek to safeguard designated heritage assets and the historic context of a site. I therefore conclude the appeal should be dismissed.

JP Sargent

INSPECTOR