
Appeal Decision

Site visit made on 1 July 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 14 July 2025.

Appeal Ref: APP/H1840/W/25/3364575

True Blue Farm, Lower Lane, Kinsham, Tewkesbury GL20 8HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr & Mrs Potter against the decision of Wychavon District Council.
 - The application Ref W/25/00435/PIP, dated 27 February 2025, was refused by notice dated 7 April 2025.
 - The development proposed is 1 no dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The scope of permission in principle is limited to location, land use and amount of development. To determine the appeal the main issue is the effect of the proposed dwelling on the setting of nearby listed buildings and the adjacent Kinsham Conservation Area (CA).

Reasons

3. The proposal is for a single dwelling immediately to the rear of a 17th/18th century Grade II listed barn northwest of True Blue Farmhouse, itself a 17th century Grade II listed building, in the hamlet of Kinsham. The historic core of the hamlet is a designated CA although this excludes the appeal site. The site lies within the defined development boundary of Kinsham which is classified as a 'lower category village' by the South Worcestershire Development Plan 2016 (the SWDP) where infill development is acceptable in principle subject to the other policies of the plan.
4. The application was not accompanied by a heritage statement describing the significance of the listed buildings in the context of the hamlet and its CA and this means a precautionary approach has to be taken to the heritage impact of the scheme. It is however assumed that the farmhouse and barn once formed part of a single farmyard complex prior to conversion to residential use.
5. Whilst at one time part of an adjacent field, the site has now been incorporated into the extensive grounds of True Blue Farmhouse and is used as a vegetable patch. The listed barn lies in the south-west corner of the grounds adjacent to Lower Lane whilst the main True Blue Farmhouse, a substantial building of two-storeys with attics, is sited towards the south-east corner where Lower Lane

turns the corner into Chapel Lane. Whatever the past position, the site and barn now read as part of the overall curtilage of the farmhouse.

6. The listed barn was granted planning permission for conversion to a dwelling in 2015 and that permission has technically been implemented albeit work has since stopped¹. The permission includes use of the current appeal site for an associated garden to the rear. The appellant states there is now no intention to pursue that scheme and indeed it would conflict with the current proposal should it go ahead. Instead, alongside the new dwelling, it is said that the barn would be 'preserved in its existing state' and would continue to be used 'as a domestic garage and for storage'². However, the barn is in a poor state of repair and appears to be little used at present. With the adjacent access to be used for the new dwelling and the site behind fully developed, the proposal would sever the barn from adjacent land which would be likely to prejudice any alternative barn conversion scheme or its reuse for some other purpose which might assist to secure its future.
7. In any event, the new dwelling with its parking, turning area and associated garden would be located immediately behind the rear elevation of the barn, encroaching upon it. This would significantly impact the setting of the building which is currently open on three sides (the fourth being screened by an unfortunate conifer hedge). Whatever form the new dwelling takes, however well it is designed and whatever type of materials are used, the proposal would significantly harm the setting of the building and its understanding as a barn within an historic farmyard.
8. Whilst the appeal site is separated by a tall hedge from the wider grounds of True Blue Farmhouse, lessening the visual impact of the scheme, the proposal would significantly intrude into those grounds and encroach upon the historic relationship between the farmhouse and its barn, eroding the appreciation of their shared history.
9. The list description of both farmhouse and barn note that they form a group with the gateway and wall, the farmhouse, wall, gatepiers, barn and stable at Manor Farmhouse, Wells Farmhouse and Corner Cottage, all listed buildings. This group form the historic core of the Kinsham CA. Since the proposal would significantly harm the setting of the True Blue Farm barn and farmhouse and the understanding of their relationship, it follows that the proposal would harm the historic integrity of the wider group and the character and appearance of the CA which is immediately adjacent to the site.
10. Being tucked away behind the barn, boundary wall and farmhouse the proposal could be designed in such a way that it would be relatively unobtrusive from public viewpoints. However, this factor does not mitigate the heritage harm that would be caused.
11. For these reasons the proposal would demonstrably harm the setting, and thus the understanding and significance of the adjacent listed barn, True Blue Farmhouse, the group of listed buildings identified by Historic England and the adjoining Kinsham CA. The proposal conflicts with SWDP Policies 6, 21 and 24. These seek to conserve and enhance heritage assets, including their settings, and require proposals likely to affect the significance of a heritage asset to be

¹ References W/15/02945/PN and 19/02345/CLE

² Appellant statement 4.16 and final comments 2.11

accompanied by a description of its significance in sufficient detail to allow the potential impacts to be adequately assessed. The proposal also conflicts with the legislative duties to have special regard to the desirability of preserving listed buildings and their settings and paying special attention to the desirability of preserving or enhancing the character or appearance of the CA.

12. In the terms of the National Planning Policy Framework (NPPF), the harm to the significance of these designated assets would be less than substantial, but nevertheless significant. The public benefit of the proposal is that a new dwelling would be provided which would contribute to local housing needs and this is particularly important as the Council can only demonstrate 1.1 years supply of deliverable housing sites, a serious shortfall against the minimum five years supply that is expected. However, in this case the public benefit does not outweigh the harm to the significance of the heritage assets concerned and thus the test in NPPF paragraph 215 is not met. This amounts to a strong reason for refusing the development and thus disapplies the presumption in favour of sustainable development set out in NPPF paragraph 11(d) that would otherwise apply.

Conclusion

13. The proposal would provide an additional dwelling which would have economic and social benefits for the area and help meet local housing needs. However, these benefits are outweighed by the harm that would result to the significance and understanding of nearby designated heritage assets and the associated conflict with the development plan and legislative duties.
14. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR