



Appeal Decision

Site visit made on 25 September 2025

by Tom Bristow BA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2025

Appeal Ref: APP/E3335/W/25/3367483

The Courtyard, Coker Court, East Coker, Yeovil, Somerset BA22 9JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended (the '1990 Act') against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs N Dahl against the decision of Somerset Council.
 - The application reference is 24/01771/FUL.
 - The development proposed is described on the application form as the 'erection of a detached 2 bed single storey dwelling with access from existing driveway and associated parking'.
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Decision

1. The appeal is dismissed.

Preliminary matters

Statutory context

2. As with the dwelling named The Courtyard, the appeal site falls within the East Coker Conservation Area (towards its western fringe). Various listed buildings are relatively nearby, notably grade I listed Coker Court to the south-east, with the grade II* listed Church of St. Michael beside it. Those buildings, along with the grade II listed Helyar Almshouses, reflect something of an historic nucleus to, or focus of, the Conservation Area. I have approached the appeals in the context of sections 66(1) and 72(1) of the Listed Building Act 1990 as amended.

Policy context

3. As in section 38(6) of the Planning and Compulsory Purchase Act 2004 as amended, each proposal must be determined in accordance with the development plan unless material considerations indicate otherwise.¹ The appeal is against the decision of Somerset Council, an authority which came into being on 1 April 2023, the appeal site falling within what was the former administrative area of South Somerset District Council. The South Somerset Local Plan 2006-2028 (adopted 5 March 2015) remains extant. The development plan also includes policies of the East Coker Neighbourhood Plan (made 6 December 2018).
4. I have had regard to all relevant material considerations in determining this appeal, including the latest version of the National Planning Policy Framework (published 7 February 2025, the 'NPPF'), the Planning Practice Guidance ('PPG') and guidance

¹ The appellants drawing to my attention in that respect the judgement in *Corbett, R (On the Application Of) v Cornwall Council* [2020] EWCA Civ 508 (09 April 2020) which concerns consideration of the development plan as a whole.

produced by Historic England and the British Standards Institution.² There is nothing to indicate that work on an emerging Somerset Local Plan is yet sufficiently advanced so as to be accorded significant weight in this decision, nor that any emerging policies intend to set a markedly different approach to extant policies relevant to this appeal.

5. The Council explain that they are presently unable to demonstrate a five year forward supply of deliverable housing sites ('5YHLS') in line with NPPF paragraph 78. By extension NPPF paragraph 11.d) applies. NPPF paragraph 11.d)i. sets out that where policies which are most important for determining the application are out-of-date, which includes where a 5YHLS cannot be demonstrated, permission should be granted unless the application of policies that protect areas or assets of particular importance provides a strong reason for refusing permission.
6. The appellants set out that in 2022, 2023 and 2024 the Council's demonstrable housing land supply stood at 4.7, 3.29 and 3.44 years' worth respectively. That is notwithstanding subsequent changes to the local housing need methodology of 12 December 2024, which again the appellants set out generates an annual housing figure of 3,769 homes for Somerset as opposed to 2,669 previously. Whilst I do not have precision as to current circumstances, the Council do not expressly contest those figures. There is therefore evidently a significant shortfall, likely to persist for some time given both its scale and as, to a greater or lesser degree, future housing provision will be addressed via Somerset-wide plan-making.

The dispute between the Council and appellants (the 'main parties')

7. The Council's first and second reasons for refusing application ref. 24/01771/FUL, articulated in their decision notice of 16 January 2025, relate in different ways to the heritage implications of the scheme. Although express reference is not made in the Council's decision notice to the design of the proposed dwelling, the effects of the scheme cannot logically be established without reference to its design.
8. The Council's third reason for refusal related to the adequacy of information submitted in respect of potential adverse ecological effects of the scheme to the Somerset Levels and Moors Ramsar site. That is a site designated for its wetland features and rare aquatic diversity. By virtue of NPPF paragraph 194.b) Ramsar Sites are accorded the same protection as Special Protection Areas.³
9. Presently the ecological integrity of the Somerset Levels and Moors is adversely affected by excessive phosphate deposition resulting from various sources including fertilisers and sewage. Simplistically, additional sewage outflows resulting from development within the catchment of the Ramsar site has the potential to exacerbate adverse ecological effects. Nonetheless, in the light of the appellants' approach to reserving phosphate credits to offset implications of the scheme, the Council no longer maintain an objection to the scheme on that basis.

² Notably Good Practice Advice in Planning 2 – Managing Significance in Decision-Taking in the Historic Environment (2015), Good Practice Advice in Planning 3 – The Setting of Heritage Assets (2017), Historic England Advice Note 12 – Statements of Heritage Significance (2019), British Standard 5837: 2012 – Trees in relation to design, demolition and construction, and British Standard 7913:2013 – Guide to the conservation of historic buildings.

³ And, by extension, via Regulation 63 of the Conservation of Habitats and Species Regulations 2017 as amended.

Relevant policies

10. The absence of a 5YHLS does not, however, displace the statutory basis for decision-taking. It remains a matter of judgement as to the weight of any harm associated with conflict with relevant development plan policies.
11. In summary, Local Plan policy EQ2 'General Development' sets the broad expectation that development should be of high quality, including that it both reflects local distinctiveness and respects local context. Local Plan policy EQ3 'Historic Environment' sets out the aim that heritage assets should be conserved or safeguarded. Neighbourhood Plan policies ECH2 and ECCN1 set out a similar approach to Local Plan policies EQ2 and EQ3. Again in summary, Local Plan policy EQ5 'Green Infrastructure' seeks to avoid both unacceptable loss of green or natural infrastructure and landscape character effects.
12. NPPF paragraph 135.c) similarly sets out how development should be sympathetic to local character and history. Reflecting that heritage assets are an irreplaceable resource, NPPF paragraph 212 guides that great weight should be given to their conservation relative to their importance, the NPPF defining the setting of a heritage asset as the surroundings in which an asset is experienced (nor merely seen). Recognising the importance of trees broadly, NPPF paragraph 136 sets out that existing trees should be retained 'wherever possible'.

Main issue

13. The main issue is the effect of the scheme in respect of historic integrity.

Reasons

The site

14. Albeit an irregular parcel of land of some 0.25ha, the main element of the site is near rectangular.⁴ The site's longest side is beside a narrow, tree-lined, and apparently unnamed lane to the north-east. That serves several properties including the Courtyard.⁵ It did not appear that there is presently vehicular access to the site directly from the lane. With the exception of Coker Court Cottage, a redeveloped element of a latter phase of development at the listed building, those properties are all to the north of the lane (on the opposite side to the appeal site).
15. The site boundary furthest away from the lane, slightly offset from parallel to it, adjoins a field to the south-west. The site is narrower in depth, with a canted north-westerly corner. As shown on the Tree Constraints Plan, there are various trees on and around the site. There is a moderate rise in level through the site from the lane, some 2 metres or so at points.⁶ Broadly the topography continues to rise to the west beyond the site, and to decline beyond the lane to the east.
16. The Heritage Report commissioned by the appellants aptly explains that the site is situated in a rural environment. Nonetheless the Council's position, on balance and

⁴ Red-edged on plan no. L01 REV A.

⁵ Additionally Stable Cottage, Lyneham Bungalow, 1-6 the Mews and Coker Court Cottage.

⁶ As shown on the Existing Topographical Site Survey, plan no. T01 REV B.

given the proximity of existing properties, is that the location of the site is not such that a dwelling here would be unacceptable.

The nature of the site

17. The application form states that the appeal site is part of the garden to The Courtyard. The Heritage Report explains that the site came into being as it is in the late twentieth century, to serve 'as part of the curtilage of the newly built dwelling of The Courtyard, with an assortment of curtilage outbuildings, a shed and a greenhouse continuing to occupy it'. It appears that the Council accept that background; the officer report associated with application reference 24/01771/FUL notes that 'the land appears to have been utilised as residential curtilage associated with the Courtyard for a significant amount of time (in excess of 20 years)...'.
18. Despite that recognition, the appellant's Heritage Appeal Statement sets out that 'the case officer appears to have placed too much emphasis upon the objection from Historic England without giving due thought to the existing use of the appeal site as a residential curtilage.' It is their view that the baseline, relative to which any effects of the scheme should be judged, is that the site is residential curtilage and may legitimately be used, maintained or managed as such.⁷ Noting that section 79(1) of the 1990 Act enables me to determine the application as if made to me in the first instance, I am not of the same view for 3 principal reasons.
19. First, there is no evidence that the appeal site was designed to be part of the garden or curtilage to The Courtyard (as opposed to being merely land owned in connection with it). Second, and notwithstanding the reference in the officer report reproduced above, there is no certificate of lawful use before me in that regard under section 191 of the 1990 Act. As reflected by section 62(3) of the 1990 Act, the onus falls principally on an applicant to substantiate their case.
20. Third, neither main party appears to have tussled with the intricacies of defining curtilage.⁸ With those in mind, the appeal site is significantly larger than the land owned in conjunction with The Courtyard immediately around the dwelling itself. Land owned in conjunction with The Courtyard is extensive.⁹ The appeal site is some distance from The Courtyard, separated from it by an intervening lane serving several properties. Although there is no fence demarcating the boundary of the appeal site with the lane, there are gates to the north-west and to the south-west leading to a field. Arguably, the site has greater connection to its surrounding rural or agricultural context.
21. Setting the foregoing entirely aside, even were I to reason that the appeal site was sufficiently intimately connected with The Courtyard to be considered as curtilage, I would still not agree with the importance that the appellants invite me to place on that point. In both relative terms compared to the plots of nearby properties, and

⁷ Noting that permitted development rights exist for development within the curtilage of a dwellinghouse under Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development)(England) order 2015 as amended.

⁸ Noting that whether land is used as a 'garden', or represents curtilage in planning terms, referenced at section 55(2)(e) of the 1990 Act, are not one and the same. I also note that, amongst other details, the NPPF defines previously developed land as excluding 'land in built up areas such as residential gardens'.

⁹ Blue-edged on plan no. L01 REV A.

even absolute terms, a garden exceeding a quarter of a hectare is expansive.¹⁰ Generally speaking the propensity for land to be maintained to a domestic standard, or to host associated outbuildings and paraphernalia, declines relative to the increasing scale of a garden and its distance from the dwelling it serves.

22. That is borne out here. Although there is, as it is put in the Council's officer report 'a domestic shed and a greenhouse frame' on the site, there is little else. Whilst some of the site has been maintained as lawn, it appears that trees and vegetation have been somewhat left to their own devices. Certain trees at and around the appeal site appear to have been established long before The Courtyard came into being. It is not conceivable that the site would host anything approaching the level of development that the scheme would entail were it not for the scheme itself. In all likelihood in the absence of the scheme the site would be kept in a way more-or-less consistent with its present nature.

The site in context

23. As above, the lane beside the site leads to several properties, but no longer to Coker Court itself. That is an arrangement, I am told, that has been the case for many decades. In the opposite direction, the lane soon reaches Compton and Bassett Cottages. Whilst unlisted, those properties nonetheless appear historic in form and aesthetic; a symmetrical pair with elevations of coursed stone, accentuated quoins, tall chimney stacks, and stone window dressings.
24. By Compton and Bassett Cottages, the lane effectively returns on itself at an acute angle to head towards the Village. In relatively short order there the lane joins a road parallel to the Almshouses next to the grade II listed entrance gates marking what might, for convenience, be called the driveway to Coker Court. Aside from a turning circle, that driveway is straight and continues the orientation of the road. As such, although the topography rises from the gates to the listed building, and although the driveway is flanked by mature trees, there are glimpses of Coker Court hereabouts from vantage points to the north-east. By contrast there is little, if any, intervisibility between the appeal site and Coker Court.
25. To the east of the driveway is a path leading between the Church and grade II listed walls by the Almshouses. Between the Churchyard and Almshouses the land is open, affording expansive views whereby the Church and Coker Court can be seen in its surrounding context. I walked along footpath Y9/8 here, which tracks parallel to the listed walls by the Almshouses heading away to ultimately join Stoney Lane. The interrelationship between Coker Court and the surrounding landscape is readily appreciable from vantage points along that footpath.
26. Compton and Bassett Cottages are at the confluence of 3 rights of way which appear to be the routes of historic paths. Footpath Y9/7 effectively continues the line of the lane were it not to head back on itself towards the Village (arcing westwards heading into farmland). Footpath Y9/13 heads away into the landscape to the north-west. Footpath Y9/6 heads to the south-west a short distance beyond the appeal site and boundary of land owned in connection with The Courtyard. There the topography rises to a brow of a hill or ridge which occludes Coker Court

¹⁰ Noting that the appeal site, not the land immediately adjacent to The Courtyard itself, is said to be 0.25ha.

from the south, before declining through a wooded belt by Isles Lane (bridleway Y9/44).

27. The landscape here is characterised by a mosaic of generally good-sized agricultural fields, in the immediate vicinity of the appeal site principally pastoral, typically demarcated by established hedgerows. Hedgerows and fields are punctuated by a peppering of mature trees along with a handful of coppices and woods. It is fair to say that there is a greater concentration of trees in the landscape closer to Coker Court rather than in and around fields at a greater distance from it. Broadly the landscape hereabouts is gently undulating, such that there are on occasion expansive views (such as southwards of Isles Lane).

Special interest and significance

28. The list entry sets out that Coker Court, formerly Clare School, originated as a fifteenth century manor house. That medieval or Tudor element of the listed building, now central to it, faces the driveway. Principally of local ham rubblestone with ashlar dressings, that facade features, amidst other structural and stylistic intricacy consistent with construction methods and aesthetics of that time, mullioned and pointed arch windows with ornate stone tracery. Given manorial origins, in all likelihood its history extends far further back still, interwoven with the community and land around it.
29. The appellants' Heritage Appraisal sets out that the oldest element of the listed building has an appearance that 'can be best described as ecclesiastical rather than domestic'. There is a close inter-relationship with the adjacent Church, which the list entry indicates is late twelfth century with alterations in the fifteenth and nineteenth century, the Almshouses being founded in 1640 and largely rebuilt in the early nineteenth century. Much of the significance of the foregoing listed buildings rests in their fabric, construction and design.
30. Nevertheless the Court clearly reflects authority in physical form. The manor would originally have been an imposing intervention in the landscape. Its architecture embodies the historic overlap of government with economic and religious forces. It is a truism, however, that the special interest and significance of listed buildings does not necessarily rest solely in their original, or oldest surviving, elements. Much domestic ecclesiastic architecture, for example, reflects successive overlays of intervention, particularly commonplace during the nineteenth century as at the Church here (reflecting growing societal affluence and attitudes towards religion and heritage during that era).
31. The list entry for Coker Court further notes that it is 'a very fine example in which either major portion would merit the higher grading: the additional parts of supporting interest and group value'. That alludes to the listed building having been extended in the eighteenth century by way of an eastern wing in a Georgian aesthetic, the Court having been further added to around the turn of the twentieth century by virtue of ostensibly servants' quarters to the south and west.
32. Coker Court was established, and evolved, at time when the economic locus of England was predominantly agricultural. Latter changes to the Court relate not only to changing architectural tastes but also to growing affluence, the Neighbourhood

Plan noting that what might be termed the economic heyday of the Village was when it supplied flax to the Navy at the turn of the nineteenth century.

33. As above, Coker Court and the Church form something of an historic nucleus of the Conservation Area with otherwise extends irregularly along and around the straggling linear form of the Village. The Conservation Area encompasses numerous other listed buildings and their plots set in a rural context. As with Coker Court, although many listed properties within the Conservation Area likely trace their origins far further back still, there is a predominance of eighteenth century properties. The Neighbourhood Plan also notes notable associations of the area with explorer William Dampier, and poet T. S. Eliot.
34. Inherent in my reasoning above is that there is a complex and layered interplay of buildings and landscape here. Insofar as the appeal site specifically is concerned, the body of evidence before me addresses that relatively cursorily. The Heritage Report explains that 'the proposed site was historically sited on the edge of the parkscape of Coker Court and is therefore historically associated with these listed buildings'. There is, however, no clear evidence as to the extent of the 'parkscape', how that changed over time, or as to the role that the appeal site played within it.
35. The Heritage Report further explains how 'Coker Court was historically situated within a parkscape, a deliberate man made landscape setting designed to give rural vistas out from the formal rooms and gardens of the manor house'. In my view, however, parkscape is an awkward descriptor. There is no indication that Coker Court benefited from a Royal license as a park.
36. The concept of landscape architecture, or looking out on a designed view, only comes to the fore well after the Tudor Period (and is arguably most applicable to the Georgian wing of the Court as opposed to the listed building as a whole). Aside from planting, and the construction of the lane by the appeal site at some point,¹¹ there is no clear evidence of a comprehensive landscape strategy or historic earthworks hereabouts. Although no element of the English landscape has been unaffected by human intervention to some degree, to describe the former landholding at Coker court as a man made landscape setting goes too far.
37. At figure 1 of the Heritage Report is a reproduction of the 1887 Ordnance Survey map of this location. That shows a range of buildings to the north of the lane associated with Coker Court, ostensibly agricultural buildings or those related to the function management of the estate, arranged around a courtyard. At some point those buildings have evidently been converted, redeveloped or demolished to make way for dwellings.
38. I am told that the former stables comprises the Mews, with the 'former historic portion of the western range demolished in the twentieth century to make way for the dwelling of The Courtyard'. The Courtyard therefore occupies a location which was, at least in part, occupied by an historic building. There is no indication of such buildings to the south of the lane previously, nor that the appeal site has ever been anything other than essentially 'natural' land.

¹¹ Likely aligned with the Georgian expansion of Coker Court itself.

39. That appears on the one hand to be corroborated by the Heritage Report which sets out that 'historically the southern side of this lane was always open without the mass of trees and shrubbery that there is today'. However, similar to my reasoning in respect of the extent of any parkscape here, the latter part of that sentence appears unsubstantiated. Although there are denser areas of trees shown on the plan of 1887, the lane is then shown as tree lined, with occasional trees dotted near the appeal site. As I have noted above, there tends to be a greater prevalence of trees the closer you get to Coker Court.
40. In summary, insofar as relevant to this appeal, the special interest and significance of Coker Court draws from its form, materials and craftsmanship along with its relationship to other listed buildings and the landscape. The character and appearance of the Conservation Area derives not only from the buildings within it and their integrity, but also their relationship with their surroundings. Those characteristics aid an understanding of otherwise intangible forces that affected the natural and built environment hereabouts over centuries.
41. I am not of the view that the landscape setting to Coker Court, or the contribution of the landscape to the Conservation Area, is academic. It is, instead, readily appreciable. Given the topography, trees and vegetation, and the location of dwellings relative to the lane, there is a clear sense of the countryside extending close to Coker Court (as would have been the case throughout history). That is both visually, including from footpath Y9/6 as it rises in the topography, but also in a broader associative and perceptive sense including in respect of a relative sense of tranquillity.
42. Albeit modest in extent relative to land around Coker Court, and relatively less important in landscape terms than elsewhere around the listed building, in its present state the appeal site nevertheless contributes to an authentic reflection of the past in the present. The degree to which it has been, or could realistically be, altered by human intervention should not be overplayed. In character and appearance the site shows a clear affinity with the historic rural context to Coker Court. It therefore plays a positive role in terms of contributing towards integrity.

The proposal

43. The proposal is for a self or custom build 2 bedroom single storey dwelling with a gross internal area of 223.8 square metres. The building would be of Scandinavian timber framed construction, a 'modern method of construction with a high sustainability rating'. That design ethos, along with the site's topography and constraints, has influenced the dwelling's layout and aesthetic.
44. The arrangement of the proposed dwelling takes account of the geometry of the site and landform. The dwelling would be principally of two rectangular elements, each reflecting the slightly offset orientation of the north-eastly and south-westerly boundaries of the site.¹² Those elements would be joined by a connecting hallway with steps making up the differential in land level between the two.¹³ Access would curve around the north-west of the site to join the lane. The proposed dwelling

¹² Including as shown on plan no. T02 REV G.

¹³ Including as shown on plan no. T02 REV J and SS01 REV C.

would be staunchly modern, understated, and rectilinear in form.¹⁴ Elevations would be a mix of timber-clad and stone-faced. The flat roof and windows would be finished in dark grey; the latter would be arranged asymmetrically and non-reflective.

45. The Tree Survey commissioned by the appellants considered 29 individual specimens and 2 tree groups on or adjacent to the site relevant to the development proposed, each being classified with reference to British Standard 5837:2012. That provides guidance as to how trees may be assessed in terms of their significance or value and the implications of development. As on the Tree Protection Plan, excluding 3 category U trees and one group,¹⁵ 8 other trees are proposed for removal to enable the scheme.¹⁶ Extensive landscaping is proposed in order to mitigate for tree loss and limit the scheme's prominence.¹⁷

The effect of the proposal

46. The proposed dwelling has evidently been designed to minimise its height and prominence. The use of muted or dark tones and colours, and of natural materials, would aid the dwelling being somewhat visually recessive. It is suggested that the use of stone facing gives a 'nod to the use of the local vernacular'. More broadly, contemporary design and historic significance are not inherently inimical.
47. That said the scheme is led by the design ethos of the dwelling. Form very much follows function. In no meaningful sense does the proposed design pick up on any local design characteristics. Novelty would attract attention, particularly in this context where there is a relative harmony of building typologies and design.
48. Although a number of trees are proposed for retention, and new planting is proposed, the dwelling would inevitably not be imperceptible (particularly as planting takes time to mature). There is likely to be some visibility of the scheme, notably when trees are not in leaf, from the lane and footpath Y9/6. There would also, inevitably, be some effect in terms of a reduction of tranquillity by virtue of comings and goings and illumination.
49. More fundamentally, the scheme is intrinsically a substantial intervention in what is presently an essentially natural site. At 223.8 square metres, the gross internal area of the proposed dwelling is vastly in excess of typical 2 bedroom properties, or that which is commonplace of nearby dwellings. The scale of the dwelling, coupled with the driveway, would represent a fundamental change to the nature of the site. As above and unlike other dwellings nearby, that would occur in a location which has likely ever been undeveloped.
50. I acknowledge that all of the trees except one, T001 a Himalayan Birch towards the south-western boundary of the site categorised as B1, are category C with reference to BS 5837:2012, i.e. trees with little or no value arboriculturally, in landscape terms or culturally. Nevertheless the site is not presently particularly open, and the presence of trees and vegetation here does not detract from

¹⁴ Including as shown on plan no. T04 REV H.

¹⁵ Trees which are dead or damaged and recommended for removal, trees T007, T013, T028 and G015.

¹⁶ Trees T001, T002, T003, T004, T005, T006, T023 and T024.

¹⁷ Plan no. RCo515 / 01, Revision 01.

integrity. Moreover section 5.2 of the Tree Survey notes that ‘the default position in planning is that every effort should be made to retain and protect the category A and B trees..’. It is therefore uncontroversial that the loss of T001 would be detrimental on account of its acknowledged value.

51. I note here that the Council’s decision notice refers in respect of application 24/01771/FUL to the loss of ‘landscape features’ along with a specific dimension regarding potential implications for T018, a Lebanon Cedar to the south-east of the plot (BS 5837:2012 category B2). The dispute between the main parties in respect of T018 is whether its proximity to the proposed dwelling would adversely affect its longevity.
52. In response to the Council’s position, the appellants has produced an Arboricultural Appeal Statement. That explains, in short, that T018 has a bias towards the south-east away from the dwelling and that one branch could be removed to avoid extending over the roof of the proposed dwelling. Taking account of those factors, along with others including the layout of the dwelling, the appellants is of the view that the scheme would not indirectly lead to adverse effects to T018.
53. As above, extensive planting or landscaping is proposed.¹⁸ That arrangement serves, however, to show how constrained an arrangement has been arrived at. Notwithstanding pruning a branch at T018 as is now proposed, trees or hedges would encircle the dwelling at close proximity. There would be little more than strips of land remaining around the north-east and south-west of the dwelling (the residual of marrying up the scale of the dwelling proposed relative to the geometry of the plot). The sole area of outside space that could realistically be used for leisure would be almost entirely beneath the canopy of T018.
54. Setting aside that leaves and branches do not necessarily fall directly downwards, that outside space is likely to be in shade for much of the time without any meaningful outlook. That arrangement appears compromised and atypical. In my view given the particular nature of the scheme and the confines of the site, there would more likely than not be some pressure to prune or remove T018 over time.
55. I acknowledge, however, that there are provisions under section 211 of the 1990 Act applicable here, and T018 may in any event be subject to a TPO (notwithstanding some ambiguity in that respect). If I were to accept the appellants’ premise, however, that those provisions would provide sufficient safeguards in respect of T018, logically I would need to address whether the living conditions of future occupants would be satisfactory.
56. Whether or not the scheme would lead to undue pressure in respect of T018 in time, for the above reasons there would be an unsatisfactory relationship between the design of the scheme and it. Even adopting the appellants’ position that T018 would remain, there would also be negative arboricultural implications of the proposal in respect of T001 (in addition to the scheme representing a substantial alteration to the current nature of the site).

¹⁸ Plan no. RCo515 / 01 Revision 01.

Consideration

57. Inherent in my reasoning above is that the proposal would be harmful to historic integrity as a result of the design, location and arboricultural effects of the scheme. The scheme therefore conflicts with the clear expectations of statute and the relevant provisions of Local Plan policies EQ2, EQ3 and EQ5, Neighbourhood Plan policies ECH2 and ECCN1, and relevant provisions of NPPF paragraph 135 and 136 as set out above.
58. Insofar as heritage is concerned it is for the decision-taker, having established that harm would result, to gauge its extent or magnitude. Given the factors set out at paragraphs 42 and 46 of this decision, and as a small proportion of the setting of Coker Court and of the Conservation Area would be affected, it is fair to categorise that harm as less than substantial with reference to NPPF paragraph 212. In my view, albeit that there is some imprecision in the evidence before me as noted in paragraphs 35 and 39 of this decision, the harm that would result would fall somewhere towards the lower end of a spectrum within that categorisation (logically more limited in respect of the Conservation Area than in relation to Coker Court).
59. In summary, NPPF paragraph 215 sets out that where less than substantial harm would result, that should be weighed against the public benefits of the proposal. That is a balance to which I now turn, noting also that NPPF paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset should require 'clear and convincing justification'.

The planning balance

60. As set out initially, NPPF paragraph 11.d) applies. Arguably, given both local circumstances in respect of 5YHLS, and the emphasis on significantly boosting the supply of homes in a national context, each and every new house is important. The aggregate effect of many smaller schemes may cumulatively be significant. Understandably in that context the appellants point to various elements of the NPPF and PPG which are supportive of enabling housing provision, rural housing, self build, development of smaller sites, and development which makes effective use of land. In this instance, however, the proposal would represent an incremental addition to housing stock, rather than in terms of contextually appropriate design.
61. The NPPF sets out that the overarching economic, social and environmental objectives of sustainable development are interdependent and need to be pursued in mutually supportive ways. A new dwelling in this location would entail some social and economic benefits, notably in supporting employment during construction and as future occupants would make use of services and facilities in the area. I also accept inherent in the design ethos is achieving high levels of sustainability, albeit that is fundamentally to minimise the environmental implications of the scheme rather than weighing significantly in favour of the scheme.
62. Nevertheless neither the support in the development plan nor NPPF for new housing is unconditional or at the expense of ensuring that all development is appropriate for its context. Reflecting on my reasoning above, fundamentally there

is nothing to justify the nature of the proposal before me (or whether comparable benefits could not be achieved a more sensitively designed approach entailing a lesser degree of harm). Therefore, even were the scheme acceptable in all other respects, in my view the application of policies in the NPPF which protect designated assets of particular importance provide a strong reason for refusing the development proposed. No other material considerations provide sufficient justification to allow the appeal.

Conclusion

63. For the above reasons, having taken account of the development plan as a whole along with all other relevant material considerations, I therefore conclude that the appeal should be dismissed.

Tom Bristow

INSPECTOR