



Appeal Decision

Site visit made on 13 February 2019

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2019

Appeal Ref: APP/N2535/W/18/3210404

Land South of High Street, Cherry Willingham, Lincoln, LN3 4AH

- 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 Tennyson Homes Ltd against the decision of West Lindsey District Council.
 - The application Ref 137057, dated 21 November 2017, was refused by notice dated 4 May 2018.
 - The development proposed is residential development of 5 detached dwellings.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Tennyson Homes Ltd against West Lindsey District Council. This application is the subject of a separate decision.

Procedural Matters

3. The application and appeal forms did not include a postcode for the site address. This has been taken from the Council's decision notice in the interests of completeness.
4. The revised National Planning Policy Framework (the Framework) was published on 19 February 2019 replacing previous versions. For clarity, any references made to the Framework in this decision are to the 2019 version.
5. Since the application was determined the Cherry Willingham Neighbourhood Plan (NP) has successfully progressed through Referendum and is expected to be Adopted/Made on 4th March 2019. As such it has been given significant weight in my consideration of this appeal.

Main Issue

6. The main issue in this appeal is the effect of the design and layout of the proposal upon the character and appearance of the area, including its effect upon heritage assets and their setting.

Reasons

7. The site lies in the centre of Cherry Willingham and comprises part of a former farmstead, within an otherwise predominantly residential area. The brick built, traditional, farm buildings that previously existed on the site have been

- demolished leaving only a few old walls, together with the plant and steel frame associated with a more modern agricultural building.
8. On my site visit I saw that the surrounding area comprises buildings of varying age, design and materials. The farmhouse immediately adjacent to the site is recognised as a non-designated heritage asset in the NP. It appears to me that despite the need for repair, the traditional appearance of this dwelling makes a positive contribution to the area. The NP also identifies other non-designated heritage assets located along High Street, including the cottages located roughly opposite the site access. The significance of these assets is their traditional scale and appearance, which is typical of a rural village.
 9. The site is not within a conservation area and the nearest designated heritage assets are The Manor House, which is a grade II listed building located approximately 26 metres to the south east of the site and 21-27 High Street, which is a grade II listed building located approximately 95 metres to the west of the site. Given the separation distances and the presence of existing built development between the site and the listed buildings, it is my view that the proposal would have no adverse impact upon any designated heritage assets or their setting.
 10. I am aware that the appeal site, together with the adjoining land to the west, has outline planning permission, with all matters reserved, for up to 13 dwellings. However, as the site has now been sub-divided, I cannot be sure what development, if any, will take place on the land to the west. In the absence of any development on the adjoining site, I have assessed the proposal against what I observed on my site visit.
 11. Whilst the layout of development in the area is varied, dwellings typically have a good standard of space around them and are broken up by single storey elements or driveways between properties. Parking is generally to the side of properties and is provided within curtilages as opposed to in separate parking courts.
 12. The proposed dwellings would be of similar height and sited closely together, creating a very dense roofscape and a poor sense of space. All five of the proposed dwellings would be large, detached, family houses. Three of these would have no garage and although this is not a necessity, I am mindful of the fact that this is likely to result in a future requirement for outbuildings in the gardens, some of which are already compromised by the proposed parking area.
 13. The dwellings would be located close to the road with the frontages being dominated by car parking. The front garden to plot 3 would most likely also become additional, more convenient, parking space for future occupants of that dwelling. The cramped garden, parking and turning arrangements would not be in keeping with the character and appearance of the area and there would be insufficient space for any meaningful landscaping. In the absence of any development to the west, the whole of the proposal would be highly visible from the High Street and would be viewed in context with the old farmhouse adversely impacting upon its setting.
 14. The indicative plan submitted with the outline permission demonstrated a much higher quality layout, showing dwellings of smaller scale than the farmhouse, with space between dwellings, which respected the setting of this building.

15. Turning to the design of the proposed dwellings, I can see that attempts have been made to give plots 1 and 2 an agricultural appearance by adding brick arches and timber panels to the ground floor fenestration and by incorporating a steeper roof pitch. However, the scale and proportions of these two large buildings, which would be very high, would not reflect the appearance of a typical traditional barn and being located close to the highway would be unduly prominent in the streetscene. Furthermore, the height of these dwellings would not be in keeping with this part of the High Street, which is made up primarily of low rise bungalows and modest cottages opposite the site.
16. Plot 3 has the proportions of a barn but not the fenestration. The L shaped dwellings on plots 4 and 5 also significantly lack architectural detail. The windows and doors are a mixture of sizes and styles with no detailing above them. The gables above the windows in plot 5 are disproportionate to the windows and the roof.
17. The proposals as a whole are confused and replicate neither a traditional housing development nor the appearance of a traditional agricultural farmstead that has been converted to residential use. There is no explanation within the submissions, for the design and layout or the thought process behind it. The appellant's appeal statement and design and access statement suggest that the finer architectural details of the scheme, such as windows and doors, could be dealt with via conditions. However, this is a full application and therefore full details of the appearance, including finer details such as heads, cills, eaves and ridge detailing should be considered at this stage. In any event my design concerns go beyond window and door details.
18. In light of the above, I conclude that the design and layout of the proposal, would be harmful to the character and appearance of the area and the setting of nearby non-designated heritage assets.
19. The proposal is therefore contrary to Policies LP25 and LP26 of the Central Lincolnshire Local Plan, which seek to enhance non-designated heritage assets and their setting and to ensure high quality design that contributes positively to local character. The proposal would also conflict with policy D1 of the NP, which requires new development to respect its wide surroundings in relation to historic development patterns and the aims of the Framework in relation to heritage assets and good design.

Other Matters

19. Paragraph 197 of the Framework states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, I find that the harm that would be caused to the setting of the non-designated assets would be less than substantial.
20. Set against this, I acknowledge that the proposal would result in some social, economic and environmental benefits and this was accepted by the Council in granting outline planning permission for the wider site. I also acknowledge that due to recent demolition and neglect the site currently has a negative impact on the appearance of the area. However, the Local Planning Authority (LPA) has powers to address untidy land in the absence of a suitable re-

development scheme being progressed and as such the appearance of the site is not justification for permitting poor quality design.

Conclusion

21. Therefore, for the reasons given, and having had regard to all other matters raised, the appeal is dismissed.

Rachael Bartlett

INSPECTOR