



Appeal Decisions

Site visit made on 17 December 2024

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal A Ref: APP/B5480/W/24/3345306

The Manor Hotel & Restaurant, Berwick Pond Road, Rainham RM13 9EL

- 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 Shobhna Properties Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1005.23.
 - The development proposed is described as 'change of use from hotel with associated F&B to create 9 total dwellings. 8 dwellings by way of internal alterations to existing manor building and 1 dwelling by way of rebuilding of adjacent dilapidated coach house. Associated landscaping works'.
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Appeal B Ref: APP/B5480/Y/24/3345326

The Manor Hotel & Restaurant, Berwick Pond Road, Rainham RM13 9EL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Shobhna Properties Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref is L0004.23.
 - The works proposed are described as 'change of use from hotel with associated F&B to create 9 total dwellings. 8 dwellings by way of internal alterations to existing manor building and 1 dwelling by way of rebuilding of adjacent dilapidated coach house. Associated landscaping works'.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Appeals A and B relate to parallel applications seeking planning permission and listed building consent. I have considered each appeal on its individual merits, but to avoid duplication, I have dealt with the schemes together except where otherwise indicated.
4. The descriptions of development and works in the banner headings above are taken from the application form. The Council's decision notice for the Appeal A application gives an amended description of 'change of use from Hotel with associated food and beverage to create 8No. terraced dwellings and 1No. 5xbed detached dwelling following demolition of adjacent coach house with associated parking, landscaping and amenities'. Other than referring to 'F&B' rather than 'food and beverage', the description on the decision notice for the Appeal B application is

consistent with this description. However, neither of the main parties has provided written confirmation that revised descriptions were agreed. Accordingly, I have used the descriptions as given on the original application.

5. The appeal site includes a Grade II listed building 'Berwick Manor Country Club' which is occupied as the Manor Hotel (hereafter 'the Manor') together with a former coach house building ('the Coach House'). As the proposal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').
6. Section 1(5) of the Act sets out the meaning of a listed building for the purposes of the Act. It provides that a listed building means a building which is included in a list compiled or approved by the Secretary of State and that any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948, shall be treated as part of the building. In response to my request to the main parties for comments, the appellant confirmed that in their view, the Coach House sits within the setting of the listed building rather than within its curtilage. The information that is before me in these appeals suggests that the Coach House occupied a separate plot to the Manor at the time the building was listed and since and in the absence of compelling evidence to the contrary, I consider as a matter of fact and degree on the information before me that it would not be within the curtilage of the listed building. For the purposes of these appeals, I have accordingly considered the proposal on the basis that the Coach House is not to be treated as part of the listed building, and is instead part of its setting.
7. The Council's third reasons for refusal of each application also include reference to section 72 of the Act. However, this relates to conservation areas and the information before me does not indicate that any such designation would be relevant here. Furthermore, the Council's first, fourth and fifth reasons for refusal of both applications relate respectively to effects on Green Belt, the character and appearance of the area and the amenity of future occupiers. Such effects are not relevant to the assessment of an application for Listed Building Consent and I have not therefore considered these matters further in respect of Appeal B. In addition, the sixth purported reason for refusal of both applications is a statement regarding liability for Community Infrastructure Levy ('CIL') which does not identify any objection to the proposal, and nor does the Council's evidence indicate CIL matters to be a concern warranting refusal. I have therefore determined the appeals on the basis that CIL matters are not in dispute.
8. As part of the appeals, the appellant submitted an 'As Built Site Plan' (plan no. 000-S-003). This was not before the Council at the time of its decisions and shows a slightly different layout to the ground floor of The Manor building from that shown on the 'existing' plans submitted with the applications. However, it does not alter what is proposed, and I saw at my visit that this plan more accurately reflects the existing situation on site. As a result, I am satisfied that my consideration of the additional plan would not cause procedural unfairness to any party and I have therefore taken it into account in determining the appeals. That said, the appellant indicates that the originally submitted plans were based on previous survey drawings. While I have taken the amended plan into account as showing what is currently present on the site, it is unclear from the planning history detailed in the parties' submissions and the evidence provided whether or not consent was given for the alterations from the layout as it was previously surveyed.

9. Finally, the Government published a revised version of the National Planning Policy Framework ('the Framework') and the Housing Delivery Test: 2023 measurement ('the HDT') in December 2024. The main parties were given the opportunity to comment on any implications for the appeal of these publications. I have determined the appeal having regard to the representations that were made, as well as the Framework and HDT.

Main Issues

10. In both appeals, there is a main issue of:
- (i) the effect of the proposal on the special interest of the Grade II listed building, 'Berwick Manor Country Club', its setting or any of the features of special architectural or historic interest that it possesses.
11. In respect of Appeal A, there are additional main issues of:
- i) whether or not living conditions for future occupiers of The Manor would be acceptable with regard to aspect and the provision of external amenity space;
 - ii) whether or not the proposal would be inappropriate development in the Green Belt; and
 - iii) the effect of the proposal on the character and appearance of the area.

Reasons

Listed Building (Appeals A and B)

12. The list description identifies that the Manor (as Berwick Manor Country Club) is a former farmhouse dating to the 17th-18th century with 19th century alterations. However, the main parties indicate that the building suffered major fire damage in 1999 which caused the roof to collapse and the loss of much of the original fabric. It was subsequently reconstructed, albeit with substantial side and rear additions.
13. As reconstructed, the southern, historic part of the building is two-storey with a double pile hipped roof which includes flat-topped dormers. Windows are predominantly recessed timber sashes and detailing to the exterior includes corner pilasters and a band between the ground and first floor levels reflecting features typical of the period. There is a large central stack towards the front of the building, below which is a particularly substantial chimney breast with hearth to the ground floor, as well as a second rear stack. To the north is a modern two-storey wing which has a large flat roof set between hipped sections. Further single-storey additions span the full width of the rear of the building, but the upper floor level and fenestration remains visible. While I also observed a marquee adjoining the projections to the rear of the northern wing, previous consents for a marquee appear to have been temporary and it is unclear from the submissions if there is presently an extant consent.
14. Although much historic fabric may have been lost, some does remain, including the chimneys and sections of wall. The appellant suggests that the building is a pastiche reconstruction, but from the information before me, the reconstructed historic part of the building broadly follows its prior scale and form and incorporates some, even if not all, of its architectural features. As a result and despite the fire damage and later interventions, there are opportunities to appreciate the historic form and layout and the simple, elegant style and proportions of the former house.

15. The Coach House sits further back from Berwick Pond Road to the south east of the Manor. The appellant's evidence suggests that it dates to the early 19th century, sometime later than the Manor, which points to changing requirements for accommodation on the site over time. Presently however, the Coach House is derelict with much of the roof structure missing and significant vegetation growth around and within the structure which restrict clear views of it. Nevertheless, photographs in the appellant's evidence from a point where vegetation growth was not so extensive indicate a fairly simple design with muted detailing. While it is not currently clearly recognisable and sits separated from the Manor, the apparently simple form, modest scale and detailing of the Coach House point to its historic relationship and status as a later, subordinate structure to the main house which maintains the clear visual and functional primacy of the listed building.
16. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the surviving historic fabric and its remaining architectural, historic and evidential interest as a former farmhouse sitting within the rural area. The evidential value deriving from the historic relationship of the attendant Coach House to the Manor makes some further contribution to its significance as part of the setting, albeit that I consider this contribution to be much restricted by the current condition of this part of the site.
17. The current proposal includes extensions and alterations to the Manor to form 8 dwellings, rebuilding of the Coach House to provide a further detached dwelling and alterations to landscaping on the site.

Extensions to the Manor

18. The varied existing extensions to the rear of the Manor would be largely consolidated to a single feature of similar but slightly smaller footprint which would have a flat roof set behind a parapet wall, although the southernmost part would retain hipped roof sections. This would give a more uniform appearance to the rear of the building. However, the parapet wall would be markedly taller than nearly all of the roofline to the existing single-storey additions and its height and form would add significant apparent bulk and mass to their upper level in comparison to the existing sloping roofs. It would also project above the cill level of the first-floor windows to both the historic core and the later north wing of the building and consequently would appear to cut awkwardly across the bottom of the windows. Moreover, the extension's arched windows and fanlights over glazed doors would contrast with the more restrained style and regular proportions of the existing fenestration to the building. Together with the suggested statue niche, the design would give an unduly formal, polite appearance to the extension which I consider would sit unsympathetically and inauthentically against the understated detailing of the host building.
19. I appreciate that the footprint of rear extensions would be reduced through the removal of a beer cellar and that an outbuilding would also be removed, but the generally modest height and simple detailing of the existing additions give a clear impression of subservience. In contrast, I find taking the above factors together that the proposal would exacerbate the dominance of rear additions to the building. The resulting feature would lack an appropriate degree of subservience and reference to the architecture of the host building and would instead appear over-large and discordant. As a consequence, the balance and hierarchy of the listed building would be further distorted and the proposal would cause harm to its legibility and

architectural integrity, and would detract from the overall appreciation of the listed building.

20. The proposal also includes a second-floor flat roof extension over the historic core of the building. This would in part be in place of an existing section of flat roof, but it would be of far greater scale, filling much of the valley between the existing double pile hipped roof. Notwithstanding sections of flat roof to other parts of the building, its form and large scale would be wholly at odds with the form and character of the historic part of the building and would be a far more dominant intrusion on the roof form than the existing feature. Given the set in of the extension from the side of the roof, the hipped double pile form could still be read. Even so, the extension would present as an incongruous and unsympathetic element at roof level where it would cause notable detriment to the remaining integrity of the listed building.
21. I note the appellant's suggestion that the visual impact of the extension would be minor, but based on my observations, it would be partly visible including from Berwick Pond Road as well as from neighbouring sites where it would appear plainly larger than the existing flat roof. In any event, listed buildings are safeguarded for their inherent architectural and historic interest which is not dependent upon the availability of public views.
22. I find for these reasons that the proposed extensions to the Manor, particularly in combination, would notably diminish the integrity of the listed building and would cause marked harm to its architectural character and quality.

Other Alterations to the Manor

23. The Council has not raised an objection to internal alterations proposed within the modern side and rear extensions, and I have no firm reason to reach a different view. However, while internal walls running north-south through the ground-floor of the historic core may comprise modern fabric with large openings, they appear from the identification of fabric on the submitted plans to follow the alignment of a historic longitudinal wall which the Council indicates was loadbearing supporting the double-pile roof. Save for a short section of wall to the WC within Unit 3, the proposed layout would not follow this alignment, rendering the historic arrangement of the ground floor plan essentially illegible.
24. Moreover, the ground-floor wall between Unit 3 and Unit 4 is shown to run directly in front of the large hearth opening which I observed to the forwardmost chimney, concealing this feature. Opportunities to recognise, appreciate and understand the nature of the chimney which makes an important contribution to the historic and architectural interest of the building would consequently be considerably reduced.
25. In these ways, I find that the proposal would reduce the legibility of the historic features and layout of the building. The contribution, albeit limited, that the interior currently makes to the special interest of the listed building would therefore be diminished, although the degree of harm would be minor.
26. Notwithstanding that the historic core of the building is partly a reconstruction, I additionally note that the submitted plans indicate some loss of the remaining historic fabric through the formation of a new window to serve the dining area of Unit 5 and widening of the entrance to Unit 3. This loss of historic fabric would cause some, although I accept very limited, further erosion of the special architectural and historic interest that the building possesses.

27. On the other hand, the proposal includes a more sympathetic external finish than the existing blue-grey render as well as the reinstatement of window and door surrounds which would enhance the character and appearance of the building. However, while the appellant also refers to reinstatement of a porch, the indicated design, including rounded columns standing some way clear of the elevation and decorative entablature details differs to the porch shown in photos of the building prior to the fire and there is no firm evidence to show it would reflect an earlier element on the site. In my view, the strongly classically-influenced appearance of the porch would sit uncomfortably against the restrained detailing of the rest of the host building and would not therefore be a benefit. In addition, there are sections of the rear elevation of the building which lack fenestration, but these are fairly modest in scale and the varied height and depth of the extensions add some visual interest. To me, the rear elevation does not therefore appear unduly stark such that the proposal would offer a meaningful improvement in that respect.
28. The reinstatement of residential use of the Manor would be appropriate. However, the provision of multiple dwellings within the building would not reflect the historic arrangement and would moderate somewhat the benefit to its character of the cessation of the existing hotel use and likely reduction in levels of overall activity.
29. Furthermore, while the removal of ground-floor walls that currently obscure the rearmost chimney could increase opportunities to appreciate this feature from within Unit 5, the ambiguity around whether sections of the walls not shown on the originally submitted 'existing' plans benefit from consent limits the weight that I give to this as a benefit of the proposal.

Coach House

30. The proposed Coach House building would be two-storey across the full width, including a higher section to the centre. It would be of greater height and bulk than the existing structure, but its scale would be modest compared to the Manor as extended, and I am satisfied that the size of the Coach House would not in itself be overly dominant against the listed building.
31. However, the relatively plain design and utilitarian character to the former Coach House would emphasise its ancillary status to the Manor as a later addition. Indeed, heritage analysis for a previously approved scheme on the site¹ ('the Approved Scheme') quoted in the evidence refers to the simple and modest form of the building.
32. The appellant suggests that the proposed design draws on examples of Georgian coach houses within farmsteads elsewhere, but the approach would seem to me to be somewhat lacking in authenticity in respect of the specific character of the appeal site. The contrasting brick finishes, arched decorative brick headers to ground-floor level windows and doors and round windows with decorative brick surrounds to the first-floor level would together give the building a far grander appearance and impression of status than the apparently simple and understated quality of the historic structure. Notwithstanding its comparatively modest scale, it would be clearly read as an independent dwelling in its own right, and it would compete visually with the Manor. As a consequence, there would be some weakening of the historic hierarchy and relationships that exist between the listed building and the ancillary character of its environs.

¹ Application refs P1390.09 and L0011.09

33. I acknowledge the poor condition of the existing structure and that there is currently little clear sense of the historic arrangement of a subservient building on this part of the site. However, there would remain boundary treatment between the structures so that they would still appear somewhat separate and overall, I am not persuaded that the Coach House redevelopment element of the proposal would preserve, far less enhance, the setting and significance of the listed building.

Landscaping

34. The extent of parking and hardstanding on the site would be reduced, and there would be a wildflower meadow in place of the hardcore which currently spreads between the Coach House and Berwick Pond Road. There would also be alterations to the access and tree planting which I note would draw on historic references for the site. Overall, I find that the indicated landscaping would complement and enhance the setting of the Manor.

Conclusion on Main Issue

35. I do not dispute that the past loss of historic fabric and later interventions to the Manor have affected its special interest. Nevertheless, it presently remains a listed building. The duties under Sections 16(2) and 66(1) of the Act which require special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses therefore apply.
36. The appellant suggests that the Approved Scheme proposed a similar scale of development to the current proposal. However, extracts of plans and documents within the submitted evidence suggest important differences in respect of the architectural design of the Approved Scheme, and it is not clear that the extent of alterations to the Manor including to the internal layout was comparable to these appeals. Whether or not there has been a change in relevant policy requirements since the previous approval, the schemes can therefore be distinguished from one another and the Approved Scheme does not offer compelling evidence that the current appeals would preserve the special interest, setting and significance of the listed building. Given the differences and with regard to the specific merits of the proposal that is now before me, I further consider that dismissal of the appeals would not offend the principle of consistency in planning decisions.
37. I have found above that the proposed rear extension, roof extension, aspects of the internal alterations and loss of historic fabric to the Manor would fail to preserve the features of architectural and historic interest that the listed building possesses and would cause harm to its special interest. The redevelopment of the Coach House within the setting of the listed building would cause some further harm. On the other hand, there would be benefits, particularly through the landscaping; reduction in activity, the external finish and the reinstatement of residential use and window and door surrounds to the Manor. However, in terms of magnitude and extent, I consider on balance that these benefits when taken together would be less than the cumulative harm that would be caused and overall, the proposal would cause harm to the special interest and significance of the listed building.
38. The harm would not result in a total loss of the significance of the building and would be less than substantial in terms of the Framework. In accordance with the Framework, this harm should be weighed against the public benefits of the proposal and I return to this matter in my planning balance below.

Living Conditions (Appeal A)

39. As proposed, Units 2, 3 and 7 would be single-aspect dwellings and while Unit 6 would have windows to two elevations, those to the flank would need to be obscure glazed to prevent unacceptable overlooking to neighbouring occupiers. Policy D6 of the London Plan 2021 ('the LP') sets out that development should normally avoid the provision of single aspect dwellings, but I consider in this case that such dwellings would be a reasonable design response having regard to the nature of the proposal involving conversion of a listed building.
40. No daylight or sunlight assessment has been provided, but the affected dwellings would face east or west and noting the open surroundings to the building, I am satisfied that occupiers would be likely to enjoy reasonable standards of natural light and ventilation and I have no firm reason to expect that there would be unacceptable overheating. I am also satisfied given the layout of access routes and entrances to different units that details of planting which could be secured by planning condition could ensure defensible space outside windows to provide appropriate privacy for the interiors of units. On that basis, I consider the provision of single-aspect dwellings would not necessarily be unacceptable here.
41. However, Policy D6 of the LP and Policy 7 of the Havering Local Plan 2021 ('the HLP') include requirements for provision of private outdoor space in accordance with minimum standards. No dedicated amenity space for Units 1, 2, 3 or 4 is shown on the plans. It might be possible for occupiers of these units to use adjoining sections of outside space, but there are adjacent access routes and shared cycle storage which would be close to Unit 1, and it is currently unclear how these spaces could appropriately be afforded adequate standards of privacy and any effect of doing so on the listed building. The proposal does not therefore demonstrate usable private outdoor space for all occupiers of the development and given the potential effect on the listed building, it would not be appropriate to defer this matter to a condition. Although the harm would be tempered by access to generous communal space within the wider site, this would not provide a direct substitute for private amenity space for the exclusive enjoyment of occupiers of an individual dwelling.
42. Irrespective of the provision of communal space, I conclude that the failure to demonstrate adequate provision of private amenity space for all Units would cause some, albeit very modest, detriment to the quality of life of occupiers of the development and there would be conflict with Policy D6 of the LP and Policy 7 of the HLP.

Whether Inappropriate Development (Appeal A)

43. The appeal site is within the Green Belt which Policy G2 of the LP sets out should be protected from inappropriate development. The Framework provides that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It identifies that development is inappropriate unless one of a list of exceptions applies. These exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building and the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. In addition, the Framework as recently revised outlines an exception for limited infilling or the partial or complete

redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

44. The proposal includes extensions and alterations to the Manor and a rebuilt Coach House, but it also includes a change of use to residential and in my view, the proposal as a whole could reasonably be described as the redevelopment of previously developed land. In accordance with the Framework, it may therefore comprise an exception to inappropriate development if it would not cause substantial harm to the openness of the Green Belt.
45. In spatial terms, the Council has not disputed the appellant's figures indicating that the proposal would result in reductions, albeit slight, in the overall volume and footprint of development on the appeal site. This would benefit openness.
46. I have noted above in respect of the first main issue that the consolidated rear extensions to the Manor would be taller and with an appearance of increased upper bulk and mass than the existing development to the rear of the building. The bulk and mass of the roof to the Manor would also be increased by the flat-roof extension which would be partly visible including from Berwick Pond Road. However, while these factors would give greater visual presence to these parts of the building, the difference from the existing structure would be fairly limited. Moreover, I consider that the effect of the increased height and upper bulk and mass of the rear extensions on the openness of the Green Belt would be counterbalanced by the removal of the rear outbuilding which would reduce the spread of built form beyond the rear of the Manor. In addition, the roof extension would be appreciated sitting within and against the backdrop of the existing roof form. This would significantly limit its visual impact and effect on openness and I cannot agree with the Council that it would be conspicuous.
47. Taking these factors together, I find that the Manor element of the proposal would have a negligible effect on the openness of the Green Belt overall.
48. In respect of the Coach House, the evidence before me suggests that the outer wings of the former structure were single-storey whereas the proposal is for a two-storey building across the full width. In any event, the greater height and upper bulk and mass of the rebuilt Coach House would have a plainly greater impact on openness relative to the existing structure in both spatial and visual terms, including as a result of its clearly domestic appearance and illumination at night time which would be urbanising.
49. There would also be gardens to the front and rear of the Coach House and potential for residential paraphernalia. However, I saw that there is already fencing along boundaries around the Coach House and that the space between the structure and Berwick Pond Road is predominantly laid as hardcore. This part of the site does not therefore currently share the typical semi-rural open countryside qualities of the surrounding area. In contrast, the gardens to the front and rear of the Coach House would be of relatively modest size and would include a softer hedged boundary to the adjacent field. In addition, a significant proportion of the depth of the frontage is shown to provide wildflower meadow. Against the existing context, I find that there would be some minor enhancement of the impression of openness on this part of the site around the Coach House.

50. The extent of hardstanding around the Manor would be reduced in favour of soft landscaping, including a marked reduction in hardstanding to the front part of the site which would be appreciable from Berwick Pond Road. The reduction in the number of parking spaces would further significantly reduce the potential number of vehicles that may be parked on the site and the associated impact, albeit transitorily, of vehicles on openness. The low level of these changes means that the visual impact would be localised, but I find that there would also therefore be clear enhancement to openness on the part of the site around the Manor.
51. Furthermore, the Council comments that the frequency of vehicles attending the site would be likely to be much reduced. I agree, and consider that the level and intensity of activity at the site associated with the 9 dwellings proposed would be reduced in comparison to that which may result from the existing use to the benefit of Green Belt openness.
52. Drawing these matters together, the extensions and alterations to the Manor would have a negligible effect on openness of the Green Belt. The rebuilt Coach House would result in a significant reduction in openness in visual terms, but the proposal would see an overall reduction in the footprint and volume of buildings on the site with benefit to openness. Moreover, reductions in hardstanding, parking and the intensity of activity would each benefit openness. Balancing these factors, I consider that the redevelopment of the previously developed site would cause harm to the openness of the Green Belt overall, but that the sum degree of harm would be moderate and certainly not substantial. On that basis, the proposal would comprise an exception to inappropriate development under the terms of the Framework. This would be the case irrespective of any failure to meet the exceptions relating to the extension or alteration or replacement of a building.
53. Notwithstanding that there would be some harm to the openness of the Green Belt, I therefore conclude that the proposal comprises an exception to inappropriate development within the Green Belt. It should not therefore be regarded as inimical to the fundamental aim, essential characteristics or purposes of Green Belt as defined by the Framework and would comply with Policy G2 of the LP.

Character and Appearance (Appeal A)

54. To the south of the appeal site are two rectangular buildings with pitched roofs which appear as if they could be former agricultural buildings but which seem at least in part to be in use by a construction and refurbishment company with associated materials and vehicles present around the buildings. Beyond is a two-storey dwelling, but the vicinity of the site is otherwise predominantly open fields and there is a strongly rural character to the area.
55. I have found above that the extensions to the Manor would be detrimental to the architectural character and quality of the listed building. However, while there would be potential views of the roof extension from Berwick Pond Road, its position set in from the side of the roof and the set back of the building mean that it would not be prominent, and public views of the rear extension would be very limited. Noting also the very modest scale of the extensions against the building, I find there would be no tangible harm caused to the character or appearance of the wider area.
56. The Coach House would be of greater scale than the existing structure on this part of the site, but it would be of distinctly modest scale and form relative to the Manor. It would not appear excessive against the few other buildings nearby and would

retain a considerable open setting. Furthermore, while I have found that the architectural design would result in some degree of competition with the Manor, the separation between the buildings and set back of the Coach House from the road means that the visual effect beyond the site boundary would be very limited. Moreover, the design and overall appearance of the building would not stand out unduly against the architectural style of the few other buildings nearby. Accordingly, I find that the Coach House development would sit comfortably on the site and would not detract from the generally rural quality of its surroundings.

57. Notwithstanding that I have found harm to the significance of the listed building, I conclude for these reasons that the proposal would not cause unacceptable harm to the character or appearance of the area. In that respect, I find no conflict with Policy 26 of the HLP which includes requirements broadly for development that respects, reinforces and complements the distinctive qualities, identity and character of the area and local streetscene.
58. The Council's reason for refusal refers additionally to policy 7 of the HLP, but while this states that development should be of a high design quality, this is in the context of living conditions and amenity for residents which seems to me to be of lesser relevance here.

Planning Balance

59. The proposal would fail to preserve the special interest and setting of the Manor as a listed building. In relation to Appeal A, the failure to demonstrate adequate provision of private amenity space would additionally cause some, albeit very modest, detriment to the quality of life of occupiers of the development.

Heritage Balance (Appeals A and B)

60. The Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. It goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
61. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
62. I have found that there would be some benefits to the listed building, in particular through the landscaping, reduction in activity, the external finish and reinstatement of residential use and window and door surrounds to the Manor. However, the magnitude and extent of these heritage benefits would be less than the cumulative harm that would be caused. The overall harm to the listed building would be less than substantial but it nevertheless carries considerable importance and weight.
63. The appellant's Design and Access Statement indicates that the proposal will utilise sustainable design and construction principles. Suggested improvements in urban greening, ecological enhancements and biodiversity net gain would offer further environmental benefits, but these benefits would each be relatively modest in actual terms given the size of the site and I give these moderate weight.

64. The main parties indicate that the Council is unable to demonstrate a five year supply of housing, with the appellant referring to a supply position of 3.4 years which has not been disputed by the Council. The HDT further indicates that past supply of housing has been notably below the required level at just 61% and the appellant also highlights a future increase in the housing target following recent Government publications. There is no dispute between the main parties that residential use of the site would be acceptable and in the context of objectives within the Framework including to significantly boost the supply of homes and Policy H1 of the LP which identifies a pressing need for housing, I find that the delivery of housing on the site would be an important public benefit attracting significant weight.
65. However, the contribution that the 9 dwellings would make to reducing the deficit and so the extent of the benefit would be relatively limited given the small scale of the proposal. Moreover, there is no compelling evidence to show that the delivery of dwellings would be dependent on development and works of the scale, design and internal layout proposed which I have found would cause harm to the listed building. Accordingly, the information before me does not provide clear and convincing justification for the harm that would be caused to the significance of the listed building.
66. I find in this context that even taken together, the public benefits of the proposal would be insufficient to outweigh the totality of the harm that would be caused to the listed building which attracts considerable importance and weight.
67. I therefore conclude that the proposal would fail to preserve the special interest and setting of the Grade II listed building, Berwick Manor Country Club ('the Manor'). This would fail to satisfy the requirements of the Act and the Framework and would be contrary to Policy 28 of the HLP and Policy HC1 of the LP insofar as they seek, amongst other things, conservation and enhancement of the significance of heritage assets and development that is sympathetic to the significance and appreciation of assets within their surroundings.

Overall Balance (Appeal A only)

68. Given the HDT result and in the absence of a five year supply of housing land, Paragraph 11 d) of the Framework would apply. In light of the above however, I find that policies in the Framework that protect designated heritage assets provide a strong reason for refusing the development proposed. Accordingly, the presumption in favour of sustainable development at paragraph 11 d) does not indicate that permission should be granted in this case.
69. Furthermore, the proposal would be contrary to the Framework insofar as it seeks conservation and enhancement of heritage assets and places with a high standard of amenity for future users. There would further be conflict with Policies 7 and 28 of the HLP and Policies D6 and HC1 of the LP. Having regard to the importance of the matters raised, I consider that the proposal would conflict with the development plan when it is read as a whole.
70. Although I have found that the proposal would not be inappropriate development in the Green Belt and would not cause unacceptable harm to the character and appearance of the area, the absence of harm in these regards is not a benefit weighing positively in favour of the proposal. Even taken together, I find that the cumulative benefits of the proposal are insufficient to outweigh the harm to the

listed building and living conditions for future occupiers, and the resulting conflict with the development plan and the Framework.

71. I find as a result that the Appeal A proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.

Conclusion

72. For the reasons given above, I conclude that the appeals should be dismissed.

J Bowyer

INSPECTOR