
Appeal Decision

Site visit made on 28 April 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 18 May 2017

Appeal Ref: APP/X0415/Y/16/3164732

Old Farm House, Farm Road, Chorleywood WD3 5QB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr W.M. Fisher against the decision of Chiltern District Council.
 - The application Ref CH/2016/0826/HB, dated 11 April 2016, was refused by notice dated 5 October 2016.
 - The works proposed is the erection of single storey building comprising hydrotherapy pool and sun room, together with alterations to existing outbuilding and wall.
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Decision

1. The appeal is allowed and listed building consent is granted for the erection of single storey building comprising hydrotherapy pool and sun room, together with alterations to existing outbuilding and wall at Old Farm House, Farm Road, Chorleywood WD3 5QB in accordance with the terms of the application Ref CH/2016/0826/HB dated 11 April 2016 subject to the conditions set out at the end of my decision.

Main Issue

2. The main issue in this appeal is whether the proposed building would preserve the setting and the significance of the Old Farmhouse, a Grade II listed building and the significance of its farmstead.

Reasons

3. Old Farmhouse, listed as Newhouse Farmhouse, dated 1672 by a date panel on the central chimney stack of the property, is a two storey red brick farmhouse with tiled roof. The property has a white painted brick central gabled porch surrounding the front door, with two light windows either side. Matching windows are sited above these, with a narrow window set above the porch. A noticeable brick band course divides the two storeys of the property visually on the south facing façade; the western gable has a similar course between the 1st storey and attic.
 4. The Farmhouse has a lower rear extension, with a large conservatory partially set in the gap between the façade of this extension and the rear of the original farmhouse. To the north and west of the Farmhouse is an 'E' shaped farmyard, with, with the longer northern single storey range attached to the north of the Farmhouse extension. The western side of the top half of the 'E' has been demolished but the remaining bottom half remains intact, along with the shorter middle and lower ranges. However, the visual connection of the bottom half with the Farmhouse has been significantly reduced by a fairly
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substantial wall constructed across the majority of the gap between the lower two branches of the E. The northern half of the E appears to be used for car parking and storage, with the southern section currently housing a greenhouse and various storage. Much of the barns have been altered and reconstructed substantially with replacement roofs in evidence.

5. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers considering whether to grant listed building consent to have special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) says when considering the impact of a proposal on the significance of a heritage asset, great weight should be given to the asset's conservation. The Framework also makes it clear that significance can be harmed or lost through alteration of a heritage asset, or development within its setting. The Framework defines setting as the surroundings in which the asset is experienced. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral.
6. The significance of the Old Farmhouse, as far as its exterior is concerned, derives essentially from its architectural quality, fine proportions and detailing, and its prominent setting at the end of Farm Drive, in front of the subsidiary farmyards to the north and west. The significance of the farmyard lies in its historic form and relationship with the Old Farmhouse.
7. Policy LB2 of the Local Plan¹ states that planning permission and/or listed building consent will not be granted for any development requiring listed building consent within the curtilage of a listed building which would adversely affect the setting of that listed building.
8. The proposal seeks to construct a single storey building to house a hydrotherapy pool and sun room in the southern half of the courtyard. The building would be 'L' shaped to run along the western and southern arms of the courtyard. The works also seek internal alterations to the eastern end of the southern branch of the farmyard to create changing rooms. Such internal works involve the use of light weight stud walls; the Council have no objection to such works, and based on all that I have seen and read I have no reason to disagree with this assessment.
9. The proposed outbuilding would sit comfortably within the existing open farmyard, with the southern element being set lower than the southern branch of the 'E'. This would allow the southern aspect to have a gable to match that existing to the south, albeit slightly lower in a subsidiary manner. Whilst the rear side of the 'L' shaped outbuilding would be the same height roughly as the existing structure behind, both would remain subordinate to the higher farm building to the north.
10. The integrity of the existing farmyard buildings would be maintained and would still be able to be read, and whilst the proposal would inevitably 'fill in' some of the previous farmyard, I do not consider that this would cause visual harm to the connection between the farmyard and the Old Farmhouse due to the disused nature of the area at the moment (aside from the greenhouse) and the

¹ Chiltern District Local Plan, 1997, Consolidated 2007 & 2011

existing high wall. The glazed areas on the internal courtyard elevations of the proposal would also assist in this regard, allowing the older Flemish bond brickwork of the original structure to be seen through the new buildings, and I do not consider therefore that the proposal would harm the setting of the Old Farmhouse or to the significance of the farmyard; nor would the proposal conflict with paragraph 137 of the Framework, which seeks to ensure that the setting of heritage assets which make a positive contribution to such settings are preserved.

11. I therefore conclude that the proposal would preserve the setting and therefore the significance of the Old Farmhouse, a Grade II listed building and the significance of its farmstead. The proposal would comply with the Framework.
12. I note that planning permission has been granted for the same proposal. The Council states that they consider that the proposal did not present significant harm to warrant a refusal solely in planning terms. However, policy LB2 specifically states that planning permission or listed building consent will not be granted for works requiring listed building consent which would adversely affect the setting of that listed building. Notwithstanding this however, I have concluded that no harm would be caused to the setting of the Old Farmhouse and the proposal would therefore comply with Policy LB2.

Conditions

13. I have imposed the standard conditions relating to compliance with plans and time for implementation as these provide certainty. I have also imposed the Council's suggested condition concerning the materials for the proposal in the interests of the special architectural and historic interest of the listed building.

Conclusion

14. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should succeed.

Jon Hockley

INSPECTOR

SCHEDULE OF CONDITIONS

1. The works hereby permitted shall begin not later than three years from the date of this decision.
2. The works hereby permitted shall be carried out in accordance with the following approved plans: Nos 05/929/PLAN/107, 05/929/PLAN/102_C, 05/929/PLAN/103_A, 05/929/PLAN/104_C, 05/929/PLAN/105_A.
3. No works shall take place until samples/details of the materials proposed to be used on the external surfaces of the works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved materials unless otherwise agreed in writing by the Local Planning Authority.