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## Appeal Decision

Site visit made on 6 August 2019

**by S Shapland BSc (Hons) MSc MILT**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 August 2019**

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**Appeal Ref: APP/J1860/D/19/3229823**

**Oakham Barn, A451 Dunley, Dunley DY13 0UX**

- 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 Mr N Esposito against the decision of Malvern Hills District Council.
  - The application Ref 19/00102/HP, dated 22 January 2019, was refused by notice dated 03 April 2019.
  - The development proposed is described as alterations to the rear shed.
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### Decision

1. The appeal is allowed and planning permission is granted for alterations to the rear shed at Oakham Barn, A451 Dunley, Dunley DY13 0UX in accordance with the terms of the application, Ref 19/00102/HP, dated 22 January 2019, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing 01 existing shed east and west; Drawing 02 existing shed north and south; Drawing 03 proposed shed north and south; Drawing 04 proposed shed east and west dated all dated 22/12/18; Block Plan 1:500 dated 22/01/2019 and Site location plan dated 22/01/2019.

### Main Issue

2. The main issue is the effect of the proposal on the setting of the curtilage listed barn known as Oakham Barn.

### Reasons

3. The appeal site is located on the western side of the A451 near Dunley. There is a complex of buildings on site, which includes the Grade II listed building known as Grove Farmhouse. There are two residential dwellings converted from a barn, and these are known as Oakham Barn and Grove Coach House. The shed which is the subject of this appeal is located at the rear of the site in close proximity to Oakham Barn. The existing shed is a brick, breeze block and asbestos construction on a steel frame. The shed is gable ended, with the side furthest away from Oakham Barn being open.

4. The proposal is for alterations to this shed, which includes reducing its height to a single storey. The existing post positions would be maintained and refurbished in black. The northern elevation of the shed would be enclosed and finished in timber cladding to match Oakham Barn.
5. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (The Act) requires special regard to be had to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest which it possesses when dealing with planning applications.
6. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of a Grade II listed building should be exceptional. The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced.
7. The Council have stated that the existing shed contributes to the setting of the curtilage listed barn by way of its agricultural appearance and previous use. This has historic relevance to both the converted barn and the Grade II listed farmhouse. I observed on site that the existing shed is in a dilapidated state, and due to its height and massing is a dominant feature within the setting of the barn. Whilst it clearly has an agricultural appearance, the current block and cladding finish is relatively modern is not in keeping with the curtilage listed barn.
8. The proposed changes would lower the height of the shed and replace the current materials with those which better reflect the curtilage listed barn. Reducing the height of the shed would reduce its dominance within the setting, and considerably improve the current outlook from Oakham Barn. I find that the materials to be used in the construction would maintain the agricultural appearance of the shed and therefore does not harm the setting of the barn. Furthermore, the proposed use of the shed would be incidental to the main barn and would be sympathetic to its historical uses. I therefore find that the overall effect on the setting of the curtilage listed building would not be harmed by the proposal.
9. The Council states that new buildings within the curtilage of converted rural buildings is rarely acceptable. However, in this instance the proposed shed is replacing an existing shed and is therefore not considered to be a new building.
10. I conclude that the proposal would not adversely affect but would preserve the setting of the curtilage listed building. The proposal therefore complies with policies SWDP6, SWDP21 and SWDP24 of the South Worcestershire Development Plan, and paragraphs 193 and 195 of the Framework. Together these policies seek, amongst other things, that new development is of a high-quality design which conserves and enhances heritage assets.

### **Conditions**

11. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.

### **Conclusions**

12. Having regard to all matters raised, it is concluded that the appeal should be allowed, and planning permission granted subject to conditions.

*S Shapland*

INSPECTOR