



Appeal Decisions

Site visit made on 2 February 2021

by R J Jackson BA MPhil DMS MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2021

Appeal A

Ref: APP/N0410/W/20/3251704

The Great Barn, Denham Court Farm, Village Road, Denham UB9 5BG

- 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 Radiate Global International Ltd against the decision of Buckinghamshire Council - South Bucks Area
 - The application Ref PL/19/0135/FA, dated 15 January 2019, was refused by notice dated 23 March 2020.
 - The development proposed is single storey extension.
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Appeal B

Ref: APP/N0410/Y/20/3251703

The Great Barn, Denham Court Farm, Village Road, Denham UB9 5BG

- 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 Radiate Global International Ltd against the decision of Buckinghamshire Council - South Bucks Area
 - The application Ref PL/19/0136/HB, dated 15 January 2019, was refused by notice dated 23 March 2020.
 - The works proposed are single storey extension.
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Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural matters

3. I undertook this site visit at the same time as those relating to a number of other appeals¹ concerning other buildings at Denham Court Farm. These other appeals are the subject of separate decision letters.
4. In April 2020 local government was re-organised in this area. Although the application was made to and the decision made by South Bucks District Council

¹ APP/N0410/Y/20/3251702, /Y/20/3251706, /W/20/3251707, /W/20/3254962 & /Y/20/3254967

Buckinghamshire Council is now the local planning authority and the decision falls as if made by that Council.

5. The Council refused the applications for two reasons with the second referencing additional works shown on the application drawings but not included within the "single storey extension" description on the applications form. The appellant has confirmed that these are not part of the proposals and I will say no more about them.
6. During the consideration of the application, amended plans were submitted altering the style of the proposed extension. These plans were used by the Council in making its decisions and I, too, will use them.
7. There is no north elevation on the submitted plans. However, this can reasonably be inferred from the drawings, and had I been minded to allow the proposal then this could have been resolved by conditions.

Main Issues

8. In respect of Appeal A, although the site lies in the Green Belt it is agreed between the parties that the proposal would represent not inappropriate development on the basis that it would not result in disproportionate extensions over and above the size of the original building. I have no reason to disagree on this point.
9. The main issues for Appeal A are:
 - (i) whether the proposal would preserve the special architectural and historic interest of the Grade II listed Denham Court Farmhouse Barn and its setting; and
 - (ii) the effect on the Denham Conservation Area.
10. The main issue for Appeal B is whether the proposal would preserve the special architectural and historic interest of the Grade II listed Denham Court Farmhouse Barn and its setting.
11. As the first main issue in respect of Appeal A and that of Appeal B are effectively the same, I will consider them together and will have special regard to Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) as appropriate. I will pay special attention to Section 72(1) of the same Act in respect of the second main issue in relation to Appeal A.

Reasons

The effect on The Denham Court Farmhouse Barn as a listed building

12. The National Planning Policy Framework (the Framework) defines the significance of a heritage asset as the value of a heritage asset to this and future generations because of its heritage interest. The national Planning Practice Guidance (the PPG) also notes² that 'significance' derives not only from a heritage asset's physical presence, but also from its setting.
13. Paragraph 193 of the Framework indicates that great weight should be given to the conservation of a heritage asset and this is irrespective of the level of harm

² Reference ID: 18a-006-20190723

that may occur. It is also emphasised that the more important the asset, the greater the weight should be. Paragraph 194 of the Framework indicates that any harm to the significance of a heritage asset, or from development within its setting, should require clear and convincing justification.

14. The Denham Court Farmhouse Barn dates from the seventeenth and eighteenth centuries and is a large and massive timber framed weather boarded building. It is of nine bays, and double aisled. A single storey wing has been erected to the south of the western part of the building; these were former stables. The listed building has been divided into three dwellings with the western known as "The Great Barn" and this consists of the western four bays and the single storey wing. The significance of the listed building for these appeals relates to its simple but massive architectural form which displays its overall agricultural heritage and internally through the visible Queen post collar and tie beam trusses which can be seen in the full height space at the western end and creates through its volume a commanding space.
15. I would disagree with the appellant when it indicates that the barn has lost its individual significance. The overall simple massive architectural form clearly exhibits the agricultural heritage of the building and the fine roof-form is of architectural and historic interest of itself.
16. The proposal is for a simple, domestic scale conservatory-style building which would be located on the north elevation at the extreme western end. The domestic scale would be entirely incongruous to the large massive Denham Court Farmhouse Barn with its agricultural heritage and would detract from its significance. While this would be located to the rear of the property in a small garden area, that it is not clearly seen does not mean that it would not cause harm to the setting, and thus significance, of the designated heritage asset.
17. Furthermore, the nature of the space, which would be a small volume would harmfully contrast with the large space of the Main Hall. This would harmfully detract from the architectural significance of the listed building.
18. Taken together, within the terms set out in the Framework, this would represent less than substantial harm to the significance of a designated heritage asset but nevertheless should be given considerable importance and weight. That being the case paragraph 196 of the Framework states that this harm should be weighed against the public benefits of the proposal.
19. The appellant has indicated that the proposed extension would be used as a kitchen to allow the owners to entertain in the Main Hall. However, this would be a private benefit and consequently should not be weighed against the harm identified in undertaking this heritage balance, particularly as the Council advises there are other kitchen facilities within the overall unit, the lack of which would otherwise affect the viable use of the building as a dwelling.
20. That being the case, the proposal would result harm to the architectural and historic interest, and thus significance, of The Denham Court Farmhouse Barn. As such it would be contrary to Policies C6 and H11 of the South Bucks District Local Plan which indicate that consent will not be granted for alterations or extensions which would harm the character or appearance of a listed building or its setting and would not harmonise with the existing building in terms of scale, form and design.

Effect on Denham Conservation Area

21. The appeal site lies at the eastern end of the conservation area which extends to include the main village to the north, with Denham Court and Denham Place 'bookending' the village. The significance of the Denham Court farm complex for the conservation area in this appeal relates to the clear reference of the agricultural history from the building forms and its location in one corner of the conservation area.
22. The conservation area includes the public right of way that runs to the north of the Denham Court Farmhouse Barn and is separated by an approximately 1.8 m high close boarded fence with a brick pillared timber gate allowing access between the private garden and the public right of way.
23. Although the public right of way is at a slightly lower level than the garden, it would still be possible to see over the fence and thus glimpse the top of the proposed extension. This would detract from the significance of the conservation area as it would increase the domestic nature of building on the site and harm the importance of the previous agricultural history of the buildings. This would represent less than substantial harm to this designated heritage asset and be of considerable importance and weight. Again, this should be weighed against the public benefits and none are identified.
24. Therefore, the proposal would be harmful to the character and appearance of the Denham Conservation Area. It would therefore be contrary to Policy C1 of the South Bucks Local Plan which indicates that development within a conservation area that fails to preserve or enhance its character or appearance will not be permitted.

Other matters

25. That I have not taken account of the benefit to the owners of the kitchen in the heritage balances does not mean that it is not a material consideration in its own right in favour of the development outside this balance. However, the desire to use the area as a kitchen to allow for entertaining seems to be part of the personal circumstances of the appellant and is of little weight when compared with the other material considerations I have discussed above, particularly as kitchen facilities exist in the southern wing.
26. The appellant has referred to Historic England's publication 'Adapting Traditional Farm Buildings' which indicates that an extension that houses ancillary functions that require a high degree of partition can leave an undivided historic space. However, this quote immediately follows a comment that "Overtly domestic extensions such as ... conservatories are alien in character and can rarely work successfully within the context of historic farm buildings". While such extensions can avoid harmful subdivision, it has not been demonstrated that the accommodation here sought is necessary for the proper, viable functioning of the building. Consequently, I give this benefit in favour of the proposals limited weight.

Conclusion

27. The proposal would be harmful to the significance of the listed Denham Court Farmhouse Barn and to its setting and would harm the character and appearance of the Denham Conservation Area and its significance. In each

case, in the terms of the Framework, this would represent less than substantial harm.

28. While the appellant has identified material considerations in favour of the development none of these are such to alter my overall conclusions.

29. Consequently, for the reasons given above I conclude that both appeals should be dismissed.

RJ Jackson

INSPECTOR