
Appeal Decision

Site visit made on 25 August 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/N1730/Y/21/3270959

The Homestead, Thackhams Lane, Hartley Wintney, Hampshire RG27 8JG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr Steve Corfield against the decision of Hart District Council.
 - The application Ref 20/03010/LBC, dated 7 December 2020, was refused by notice dated 29 January 2021.
 - The works proposed are described as remove an old garden shed.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of works in the banner heading above is an edited version of that provided on the application form. I have omitted unnecessary reference to the background to the application, its merits and supporting information. In this regard the description above is similar to that used by the Council.

Main Issue

3. The main issue is whether the works would preserve a Grade II listed building, its setting, or any of the features of special architectural or historic interest that it possesses.

Reasons

4. The 'garden shed' subject of the scheme stands within the grounds of The Homestead, which is a Grade II listed building. Whilst the Act sets out the desirability of preserving the special interest of listed buildings, the Framework makes clear that great weight should be given to the conservation of designated heritage assets.
5. Insofar as it is relevant to the appeal, the special interest and significance of the listed building resides in its C17th origin, the earliest parts of which feature a timber frame, and its historic fabric and historic function as a farmhouse. The latter is appreciable given its relationship with former agricultural buildings within its immediate setting, including a timber framed barn which is separately listed at Grade II.
6. A listed building includes any structure that is within its curtilage which has existed since before 1st July 1948. The shed subject of the scheme was most likely constructed during the mid-C19th, and appears to have been originally built to serve a function related to the historic agricultural use of the

surrounding site. Its later and more recent use was that of a domestic shed/store. Given its historic and continuing ownership by The Homestead, its layout and ancillary function, I consider that the shed is covered by the listing of The Homestead.

7. In this regard the shed is a 2-bay timber framed single storey building clad with weatherboard, and roofed with plain clay tiles. A similar open fronted structure is located towards the north, albeit roofed in pantiles. The timber frame of the building in question is of rudimentary rustic character, utilising irregularly shaped hewed components set on a plinth. Most of the framing appears to be original. Sections of what appear to be original weatherboarding secured by handmade also survive, most particularly at the west end of the building. The central partition is intact and of the same construction, providing additional evidence of the way in which the external walls are likely to have originally appeared. As is typical in a building of this type, many sections of weatherboarding have been replaced, the newer elements being straight edged. The roof structure also appears to have undergone past renewal and more recent bracing, though the apparently original handmade pegged roof tiles remain, secured by a combination of wooden and iron pegs. The structure as such displays the use of a range of vernacular materials and construction techniques, generally reflecting and complementing those seen on The Homestead and listed barn.
8. Though it is claimed that most of the shed is the product of renewal, my findings above do not support this view. The periodic renewal of perishable components of a building is in any case a normal product of ongoing maintenance, and in this case such renewal does not appear to have fundamentally altered the character of the shed.
9. I find therefore that the shed demonstrates a historic functional association with The Homestead, as too a relationship with other historic components of its former agricultural setting. This is enhanced by its vernacular character and construction. In these regards, notwithstanding its currently dilapidated condition, the shed both holds special interest and significance in itself, and in turn makes a positive contribution to that of The Homestead. This is not altered by the fact that the structure cannot be seen from within the public realm and is partially obscured by shrubbery. Indeed, each consideration is largely if not wholly irrelevant given that the special interest and significance of a listed building is not dependent on public visibility, and the shrubbery in question might just as well be trimmed back.
10. Whilst it is probable that the frame of the shed underwent distortion historically, more recent structural movement towards the west end is evident. It appears that this could have been triggered by building works undertaken immediately adjacent to the southwest corner. Slipped tiles resulting from racking of the roof timbers have led to water ingress and in turn decay, and the roof is otherwise overhung by shrubs. The timbers have clearly been subject of attack by woodworm, however the extent to which this is active is unclear. All these factors contribute to the poor condition of the building, which has not been assisted by an apparent lack of recent maintenance.
11. Given its condition, and the extent and cost of the works said to be required to remedy it, the appeal scheme seeks demolition of the shed. However, the application was not supported by a detailed structural assessment or

specification setting out the remedial works required, or any costings linked to such a specification or end use. Safety concerns have also been raised, but in the absence of the above evidence these are again not substantiated beyond the simple observation of structural movement and decay. Moreover, whilst no measures appear to have been taken to stabilise or weatherproof the building, the extent to which such simple measures would avert the perceived risk to safety have also not been evidenced.

12. Demolition of the shed would clearly neither preserve its special interest, nor conserve its significance, and would in turn diminish the contribution that it makes to the special interest, significance and setting of The Homestead. Here paragraph 200 of the Framework sets out the need for clear and convincing justification required for any harm to or loss of the significance of a designated heritage asset. Given my findings above, the application is however seriously deficient in the evidence necessary to provide such justification.
13. Notwithstanding the total loss of the shed, the harm caused by its demolition to the significance of the listed building would, as a whole, be less than substantial. Such harm attracts great weight. In accordance with paragraph 202 of the Framework it is necessary to balance this harm against the public benefits advanced in favour of the scheme.
14. The appellant states that removal of the shed would address a threat to public safety. However, the shed is located in a private garden lacking public access. In any case, and in view of my findings above, the nature of the perceived safety risk, as too any measures which might be simply implemented to address it, have yet to be properly established. The above being so I attach no weight to this consideration.
15. The appellant states that tiles from the roof of the shed would be used to maintain the roof of the listed barn. This is presumably therefore advanced as a heritage benefit. I have however been provided with no information regarding the need for repairs to the barn roof, or the broader availability of suitable materials. In any case, the use of the tiles for this purpose would neither be secured nor certain were the appeal to be allowed. Again therefore, I attach no weight to this consideration.
16. Inevitably, the scheme would generate work for whoever was contracted to undertake it. However, whilst any broader benefit to the economy at large would be negligible, this cannot be considered a legitimate sole basis upon which to justify the destruction of the shed. I therefore again attach no weight to his consideration. The harm that would be caused by the works would not therefore be outweighed by public benefits. This indicates that the appeal should be dismissed.
17. For the reasons outlined above I conclude that the scheme would not preserve the special architectural or historic interest, or setting of the listed building. It would thus fail to satisfy the requirements of the Act, relevant policy set out within the Framework, and, insofar as it is relevant, conflict with Policy NBE8 of the Hart Local Plan 2032 (the Local Plan) which generally defers to heritage policy set out with the Framework.

Other Matters

18. The Homestead is located within West Green Conservation Area (the Conservation Area). In this regard Policy NW5 of the Hartley Witney Neighbourhood Plan, which relates to conservation areas, is cited in the decision notice, but the Conservation Area is not considered any further within the Council's submissions. The Conservation Area has nonetheless been considered by the appellant, and in view of the duty set out in Section 72(1) of the Act, it is necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
19. Insofar as it relates this appeal, the significance of the Conservation Area resides in the historic layout of the settlement, and the collection and interrelationship of historic buildings and spaces, both public and private, that it contains. In this context, The Homestead, and the group of historic agricultural buildings within its setting make a positive contribution to the significance of the Conservation Area, in particular by helping to illustrate its historic rural character.
20. I have already found that the scheme would harm the significance of The Homestead. In this regard, and as noted above, loss of the building would not be publicly perceived given that it is not open to public view. Be that as it may, the Conservation Area is a sum of both its public and private parts. By causing harm to the significance of the listed building, the scheme would also harm the contribution that the listed building makes to the significance of the Conservation Area as a whole. The harm caused would again be less than substantial, but in this case attracts considerable importance and weight.
21. I am mindful of the fact that, despite reference to Policy NW5, the effect of the scheme on the Conservation Area was not explicitly identified by the Council as a reason for refusal of consent. However, notwithstanding the additional weight that the identified harm lends in favour of dismissing the appeal, this does not alter the outcome of my findings in relation to paragraph 202 of the Framework set out above. Similarly, the additional conflict that a failure to preserve or enhance the character or appearance of the Conservation Area would cause in relation to the Act, the Framework and Policy NBE8 of the Local Plan, does not alter the outcome of my conclusion in relation to the main issue. As such the matter is not determinative of the outcome of this appeal. I am therefore satisfied that the interests of neither party are prejudiced by my findings.

Conclusion

22. For the reasons set out above I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR