
Appeal Decision

Site Visit made on 9 August 2021

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2021

Appeal Ref: APP/N1920/W/20/3260501

Kemprow Farm, Kemprow, Aldenham, Watford, WD25 8NR

- 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 Alistair Pinkerton against the decision of Hertsmere Borough Council.
 - The application Ref 20/0193/FUL, dated 20 December 2019, was refused by notice dated 7 April 2020.
 - The development proposed is the erection of multi purpose agricultural storage barn.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal the revised National Planning Policy Framework (the Framework) was published and came into force. In light of this, I have sought the views of the main parties in writing and any comments received have been taken into consideration.
3. The site is located within the Green Belt, both of the main parties agree that the development does not represent inappropriate development in the Green Belt. Based on what I have seen, I have no reason to disagree.

Main Issues

4. The main issues are the effect of the proposal on (i) the setting of nearby listed buildings, (ii) the character and appearance of the area, and (iii) the living conditions of nearby occupiers, with particular regard to noise.

Reasons

Listed buildings

5. The appeal site is located close to a number of listed buildings. Most notably these include Kemprow Farmhouse and two barns, all of which are Grade II listed. The farmhouse dates from circa 1800, while one of the barns dates from 16th/17th Century and the other 17th/18th Century. The buildings share a close relationship with each other and there is group value in the collection of structures. They reflect the historic layout of a farmhouse and associated farm buildings. The area surrounding the buildings has an openness reflective of the historic agricultural use of the land and while there has been some separation between the cluster of buildings, most notably from the formation of the residential curtilage of the farmhouse, there remains a general sense of the

land surrounding the listed buildings being open. The presence of what is a rather formal arrangement of trees nearby does not substantially diminish this.

6. As a consequence, the general lack of further development within the environs of the listed buildings is a significant contributing factor to the setting of the collection of buildings. The significance of the heritage assets therefore lies, in part, in their historic association with the agricultural use of the site, which is appreciated especially from their group value and the generally open aspect of the surroundings of the location. My findings in this matter align with those of the Inspector who considered a previous appeal at the site.
7. The appeal scheme seeks to introduce what is a rather large agricultural building into the setting of the collection of listed buildings. It would be located to the north of one of the barns, the threshing barn, that currently has a close association with the open area remaining in agricultural use. The area where the barn is proposed is currently enclosed to a large degree by the formal arrangement of trees, however much of this is proposed to be removed to accommodate the development. This would have the effect of further opening up the site and there would be a clear visual connection between the proposed building and the threshing barn. This would be particularly evident and appreciable from the public right of way to the north of the site.
8. The agricultural building, despite being reduced in its extent from the previously considered proposal on the site, would be a substantial structure positioned in proximity to the listed buildings, and its modern proportions would be distinctly at odds with those of the listed buildings. In this respect it would be a domineering and insensitive addition that would diminish the openness and spaciousness of the setting of the listed buildings. The potential introduction of indigenous planting would do little to ameliorate this.
9. Consequently, the proposal would not preserve, but would degrade, the setting of the listed buildings, harming their significance as designated heritage assets. Thus, the scheme would conflict with policies SP1, CS14 and CS22 of the Hertsmere Local Plan – Core Strategy, January 2013 (the Core Strategy), as well as policy SADM29 of the Hertsmere Local Plan – Site Allocations and Development Management Policies Plan, November 2016 (the DM Policies Plan), insofar as they seek to ensure development conserves the historic environment of the Borough and that development does not harm the setting of listed buildings.

Character and appearance

10. The location of the building would be set back from the adjacent road and some screening would be provided by the trees and hedging that is present. Nonetheless, a good portion of this is proposed to be removed to facilitate the construction of the development. As a consequence, there would be views of the large building from the surrounding area. This would include the adjacent public right of way which runs almost directly alongside the proposed siting.
11. In views from the road, as well as from the footpath, notwithstanding the reduced scale of the building, it would appear as an overly large structure, out of scale with any of the buildings located within the vicinity and isolated from any buildings of a similar scale and appearance. It would therefore be an intrusive and incongruous feature of what is, as identified above, a relatively open local landscape. While the inclusion of additional landscaping would to

some degree limit the impact, it would not in my view result in the development having an acceptable appearance.

12. Accordingly, I find that the proposal would have a harmful effect on the character and appearance of the area. Thus, it would conflict with policies SP1 and CS22 of the Core Strategy, as well as policy SADM30 of the DM Policies Plan. Together, and amongst other things, these policies seek to ensure that development is of an appropriate scale and appearance, as well as of a high-quality design.

Living conditions

13. The Council raise concern over the potential effect of noise associated with the building on the living conditions of nearby occupiers. In this respect I note that the submitted plans show no plant or machinery to be included. Furthermore, the relocation of some activities to the internal space of the building would likely contain some of the noise generated by the agricultural operation at the site. Moreover, there is no suggestion that the existing operations taking place have any unacceptable effect through the generation of noise. My view in this respect is reinforced by my observations at the time of my site visit, where there appeared to be no intensive forms of activity occurring at the site.
14. Accordingly, the proposal would not have an unacceptable effect on the living conditions of nearby occupiers, with particular regard to noise. Thus, there would be no conflict with policy CS16 of the Core Strategy or policies SADM20 and SADM30 of the DM Policies Plan, insofar as they seek to ensure that noise pollution is minimised and that any impact on amenity is limited. There would also be no conflict with the living condition protection aims of the Framework. The Council's reason for refusal also refers to policy CS1 of the Core Strategy, however this policy refers to the supply of new homes and as such is not directly relevant to the appeal scheme.

Planning Balance

15. In causing harm to the setting of the listed building, I find that the scheme would result in less than substantial harm to a designated heritage asset. Paragraph 202 of the National Planning Policy Framework requires that I have regard to any public benefits of the proposed development. As previously acknowledged, there would be a positive contribution to the local economy, through a more efficient operation and management of the agricultural business. These benefits remain pertinent to the scheme that is before me. There would also be a reduction in traffic movements and thus a benefit in terms of the use of the local highway network. These matters attract weight in favour of the proposal.
16. However, I am also mindful that the Framework at paragraph 199 advises that great weight should be given to an asset's conservation. As I have found harm to the significance of the designated heritage assets, even less than substantial harm results in the benefits of the scheme in this case being insufficient to outweigh the harm that I have identified.
17. I am conscious that the proposed building has been relocated as well as reduced in scale in order to try and overcome the reasons for the dismissal of a previous appeal on the site. While these measures are noted, they are not

sufficient in my view to warrant allowing the appeal, for the reasons given above.

Other Matters

18. Reference has been made to the scheme for the conversion of the threshing barn to a dwelling, which has recently been granted both planning permission and listed building consent by the Council. While this is noted, together with the comments that have been provided in this respect, this matter does not change my findings above in respect of the effect of the proposal on the nearby listed buildings, as well as the character and appearance of the area. Thus, it has little bearing on my decision.
19. I acknowledge that the barn would provide for secure storage at the site, nonetheless this matter is not sufficient to warrant allowing the appeal.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR