



Appeal Decision

Site visit made on 1 February 2022

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2022

Appeal Ref: APP/Y2810/Y/21/3271979

Goat Cottage, The Green, Badby, Daventry N11 3AF

- 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 Mrs Judith Kleiner against the decision of West Northamptonshire Council.
 - The application Ref DA/2020/0533, dated 1 July 2020, was refused by notice dated 30 October 2020.
 - The works proposed are Conversion and alterations to outbuilding to form self-contained living accommodation, ancillary to The Hollies, The Green, Badby.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has confirmed it is now known as 'West Northamptonshire Council', which replaces Daventry District Council. This does not affect the development plan, but listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004 and do not need to be determined in accordance with the development plan. This is further confirmed by the lack of a requirement in section 16(2) of the Planning (Listed Building and Conservation Areas) (England) Act 1990 (the Act) to have regard to the development plan when determining applications and appeals for listed building consent. The policies of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2011-2029 (LP) and the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (Adopted December 2014) (JCS), referred to by the Council, are therefore material considerations only.
3. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). The main parties have had the opportunity to comment upon the relevance of any revised content of the Framework and I have had regard to any responses received in my decision.
4. The Application Form states that the works shown on the application drawings began in January 2016 and were completed in January 2017. However, the appeal includes amended floorplans (drawing reference: GC 102A). Given that the drawing refers to the reinstatement of original bare surfaces to either side of a wall within the building, no interested party would be inconvenienced by my consideration of its content as part of the appeal. My determination of the appeal therefore includes reference to the amended floorplan.
5. The Council has confirmed that its Officer Report and Decision focussed on the internal works to the listed building. All external alterations to the building were

only assessed under the corresponding application for planning permission¹, which the Council granted in late 2020. In part, the Council therefore failed to have regard to its statutory duty contained within section 16(2) of the Act. The main parties were subsequently given opportunity to comment on the implications of the external works for this appeal and I have had regard to any responses received in my decision.

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Outbuilding and Former Cottage at The Hollies, The Green'².

Reasons

Significance and Special Interest

7. The appeal property is a small detached two-storey single-cell cottage with an attached single-unit barn, which is Grade II listed, constructed of square coursed ironstone, and dates from the 17th Century. The plan form of listed buildings can form part of their significance, as it helps to demonstrate how they have been used. The appellant suggests the property is a remnant longhouse, where cattle and humans lived under the same roof. The unusual physical division between the cottage and barn is therefore a key contributor to the building's significance.
8. The barn was likely a cow byre that was open to the underside of the thatch roof, but possibly latterly used for butchering of animals given the form and construction of the pulley mechanism within the roof structure. The pulley and its relationship with surrounding fabric add to the building's special interest.
9. The overall building has been subject of alterations over time, principally to its roof, where the thatch has been overlaid with corrugated tin sheets. However, the door to the side of the cottage and its hinges are original and internally it features a fireplace with chamfered cambered bressumer, stop-chamfered spine beam, and some stop-chamfered joists.
10. Despite later alterations, insofar as it relates to this appeal, the special interest of the listed building is primarily associated with the architectural and historic interest of its unusual floor plan configuration, as a humble cottage with an attached barn, and its surviving 17th Century built fabric. This includes the extent and nature of vertical and horizontal subdivision and visibility of timber detailing, particularly within its roof. These aspects were therefore important to the understanding and legibility of the listed building and its significance.

Approved works

11. In 2015 listed building consent and planning permission were granted for the cottage to be used as self-contained living accommodation ancillary to Apple Tree House³, which is also Grade II listed, as 'The Hollies'. The approved renovations and alterations would have ensured that surviving features of architectural and historic interest within the cottage and barn would be retained and repaired using traditional methods and materials. The living

¹ Planning Reference: DA/2020/0532.

² The building is known as Goat Cottage.

³ Planning References: DA/2015/0057 and DA/2015/0056.

accommodation was primarily to be restricted to the ground and first floors of the original cottage, in the northern half of the building. The tin roof was to be replaced and conservation finishes applied to walls and floors. A single dormer was to be reconstructed on the eastern side of the cottage; and two rooflights added to the rear roof slope, one being around twice the width of the other.

12. The Council has suggested that the approved scheme included limited alterations to the barn, with the insertion of glazing to an external opening in the south façade and the inclusion of a bathroom in the southeast corner, where there had previously been subdivision. The barn and cottage were to continue as two separate independent units, with the central dividing wall remaining intact. The barn was to remain largely open to its full height for the majority of its floor plan, except for the bathroom, with the other space used informally as a utility/playroom. The remainder of the stone flag floor and roof structure were to stay exposed.

The Proposal

13. The application sought consent for the works carried out, the layout and nature of which are different from that approved. Principally, two openings have been formed in the central dividing wall at ground and first floor; the stone floor of the barn has been retained beneath a modern tiled floor raised up on battens within the kitchen and dining space; and a new first floor has been installed. This includes an internal 'balcony' overlooking part of the ground floor, beneath the pulley mechanism, and an enclosed space to provide a second bedroom. Throughout the barn, the walls and roof structure have largely been concealed behind drylining and plaster.
14. In Procedural Matters I outlined that the proposed external alterations to the listed building were covered by the planning permission. These encompassed the door to the cart-door opening and the single pane window above it; the dormer window and its guttering; the altered and additional single pane rooflights on the rear roof slope; external lights, vents, and pipes; the weather station unit; and rainwater pipes and their revised positions. This appeal therefore includes those works.
15. The amended plan referred to above includes additional works, as yet undertaken to remove 'as built' plaster (battens, plasterboard and plaster skim) on either side of the central dividing wall. However, the remaining walls throughout the cottage and barn would remain dry lined and plastered.

Effect of the proposed internal works

16. The principle of including openings that advance the use of a heritage asset is well-founded and the openings between accommodation shared by human and animals are not uncommon, as they often existed to enable occupants to check on cattle during hours of darkness. Nevertheless, prior to the works subject of the appeal being carried out, there is no evidence to suggest that the cottage was anything but a single-cell unit, as the central dividing wall survived intact. This is an important element of the plan form of the listed building and, thereby, a key contributor to its significance. The openings formed at ground and first floor are not insubstantial, but disturb the previously intact dividing wall and amount to a loss of original historic fabric.

17. The covering of the stone floor in the cottage with carpeting is a wholly reversible and minimal intervention. I also accept that it is a recognised approach to the conservation of original floors to protect them and cover with a modern floor. The retention of the proportions of the cart-door entrance also signposts the previous non-residential use of the barn. Nonetheless, these factors do not account for the significant extent that the floor has been raised within the building and the step that has been installed a short distance inside.
18. The beam in the kitchen provides some evidence that timbers may have jointed into it at some point to provide a space of some form at first floor, but there is no further evidence before me of its likely extent or use and the pulley mechanism is likely to have been in situ for some time. This argument would not therefore provide justification for the first floor installed in the barn.
19. Subdivision of the barn to create the bedroom and balcony at first floor are clearly read as later alterations and space is retained around the pulley mechanism up to the underside of the roof. Nevertheless, the open qualities of the full-height space within the barn have been largely consumed by the new compartmentalised bedroom and balcony accommodation. The lobby created between the original door to the cottage and its ground floor accommodation subdivides the space and conceals the position and form of the firebox. However, the revised position of the ground floor bathroom is not harmful as it is positioned close to a previously existing subdivision.
20. Together, new openings formed in the central diving wall, the alterations to the ground floor and the nature of the first floor introduced within the barn, have significantly compromised the historic plan form of the building, which has undermined its understanding and legibility.
21. The proposed mitigation shown on the amended plan, to reveal the original fabric either side of the subdivision between the cottage and barn, would provide evidence of its origin. The internal walls at either end of the building also appear to have plaster directly applied, which shows their individual character. However, a significant extent of modern interventions to original fabric on the underside of the roof and internal facings to original walls would remain. These would continue to be overlaid and hidden behind insensitively conceived and constructed contemporary fabric, which has a clinical and precise appearance more befitting of modern housing. This would undermine the understanding of the timber framing within the roof and the stone construction of the listed building and their significance to it.

Effect of the proposed external works

22. I accept that the metal roof of the listed building has been re-laid, so the new rooflights on the rear slope could be considered in light of its current appearance. However, the roof was covered in metal sheeting some time ago, so it is not a recent addition to the building. Although the size and position of the rooflights within the roof slope are acceptable and they follow the principles of the original approved works, the rooflights do not include the slender proportions or glazing bars of conservation-style alternatives. They appear particularly bulky and cumbersome and project significantly above the corrugated plane of the roof slope. The framing of the glazed door in the cart opening is also a significant departure from the approved works and, rather than retain the simple agricultural appearance of the building, it is an overtly domestic feature that has brought too much prominence to the opening.

23. I am mindful that the Council granted planning permission for these alterations to the listed building but, having regard to my statutory duties, I do not agree that these aspects of the proposal would not be harmful to its special interest.
24. The Council has referred to the position of the vent pipe to the left-hand side of the cart door opening. While this could have been more discreetly sited, it is adjacent to the bathroom it serves and is not so prominent that it is harmful to the appearance of the listed building. The other works, including for the dormer window are either relatively simple in form, like the approved works, or discreetly sited so that they do not harm the appearance of the listed building.

Public benefits and conclusions on the main issue

25. The statutory duty in Section 16(2) of the Act is a matter of considerable importance and weight. Paragraph 197 of the Framework states that the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation should be taken into account in determining applications. Meanwhile, paragraph 199 of the Framework also advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification.
26. While the nature of the works undertaken internally to the cottage and barn, and those externally through the rooflights and cart door opening, may fit the appellants purposes, together they amount to an unsympathetic adaptation that has significantly overwhelmed the building and shown very little care and attention to its historic form and function.
27. These works fail to preserve the listed building or its features of special architectural or historic interest. Given the extent of the alterations undertaken to the floorplan configuration and fabric of the building, the harm to the significance of this designated heritage asset would be toward the higher end of less than substantial harm. In such circumstances, paragraph 202 of the Framework identifies that this harm should be weighed against the public benefits of proposals.
28. The alterations would help to meet Lifetime Home Standards through the creation of a greater extent of accessible accommodation at ground floor, served by a link between the two parts of the building. This would improve the internal living environment of the cottage and better meet the needs of the appellant and her family, now and in the future. While this would primarily be a private benefit, the supportive role that could be provided by occupiers of Apple Tree House to occupiers of the cottage could reduce dependency on public services, which would be a public benefit of limited weight in social and economic terms.
29. The works would have provided employment for persons in the construction industry, albeit in the short term, and could continue to do so with future maintenance. The occupants of the cottage are also likely to support local shops, services, and facilities. While these would constitute benefits in social and economic terms, they would be likely to be limited in scale and kind, particularly over and above the benefits that could be accrued from the approved scheme. I therefore only afford these benefits limited weight.

30. The appellant has suggested that the listed building was dilapidated at its time of listing and the renovations and alterations were undertaken to secure its future, requiring considerable investment. Some of the works provide evidence of the previous extent of human occupation, but there is no substantive evidence before me to suggest that the future use of the listed building could not have been secured without less invasive and harmful works.
31. Taking the above together, the public benefits I have outlined would not justify allowing works that would fail to preserve the special interest of the listed building. Therefore, in accordance with paragraphs 197 and 199 of the Framework, considered together, I am not persuaded that there would be wider public benefits of sufficient magnitude to outweigh the great weight to be given to the less than substantial harm that I have identified to the significance of the heritage asset.
32. In light of the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building. Hence, it would fail to satisfy the requirements of the Act, the design and heritage aims of Policy BN5 of the JCS and policy ENV7 of the LP, and paragraphs 126, 130, 132, 134, 195, 197, 199, 200 and 202 of the Framework.

Other Matters

33. The appeal property forms a group of listed buildings, with Apple Tree House and the water pump between, both of which are also Grade II listed. I have therefore had regard to the statutory duty referred to in the Act. However, given the scale of the proposals and their physical relationship with these designated assets, their settings are preserved and the proposed works do not detract from them. Together the listed buildings make a positive contribution to the character and appearance of the Badby Conservation Area (BCA). Section 72(1) of the Act confers on the decision maker a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. This duty applies to listed building appeals and, for similar reasons, the works do not harm the character or appearance of the BCA.

Conclusion

34. For the reasons given above I conclude that the appeal should not succeed.

Paul Thompson

INSPECTOR