



Appeal Decision

Site visit made on 4 May 2022

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th May 2022

Appeal Ref: APP/D3125/W/21/3275501

**Thresher Barn, 6 Millwood Farm Barns, Abelwood Road, Long Hanborough
OX29 8RB**

- 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 George Burdon against the decision of West Oxfordshire District Council.
 - The application Ref 21/00464/HHD, dated 9 February 2021, was refused by notice dated 15 April 2021.
 - The development proposed is new glazed door to north elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal only relates to the refusal of planning permission, as described in the banner heading above, and does not relate to the refusal of listed building consent.
3. The National Planning Policy Framework was revised on 20 July 2021 (the Framework). The main parties have had opportunity to refer to the revised content of the Framework and I am satisfied that the revisions do not significantly alter the policies upon which this appeal turns.

Main Issue

4. The main issue is whether the proposed development would preserve a Grade II listed building, known as 'Barn and stable range approximately 15 metres east of Millwood Farmhouse', and any of the features of special architectural or historic interest that it possesses; whether it would preserve the setting of the Grade II listed building, known as Millwood Farmhouse; and the extent to which it would preserve or enhance the character or appearance of the Millwood End Conservation Area.

Reasons

Significance and special interest

5. The appeal concerns the northern gable of a dwelling formed in the Grade II listed 'Barn and stable range approximately 15 metres east of Millwood Farmhouse'. The building is arranged parallel with Millwood End, with gables to either end and a lower cross wing to the right of centre, and likely originates from the 18th Century. It is constructed of coursed limestone rubble, typical of agricultural buildings in the Cotswolds, with black-stained timber cladding

inserted in the former barn door openings. Despite it being altered and extended in connection with its conversion to residential use, the significance of the building primarily lies in its architectural and historic interest, as a generally well-preserved example of an 18th Century agricultural building.

6. The former barn and stables have a close relationship with the Grade II listed Millwood Farmhouse, which originates from the 17th Century, with 18th Century alterations. It is now a house and is a well-proportioned, detailed and imposing property, which is elevated above the former farm buildings. Its significance therefore lies in its architectural and historic interest as a grand former farmhouse of 17th Century origin, with later alterations.
7. Although the functional link between the former farmhouse and its farm buildings no longer exists, the physical arrangement of the buildings and surrounding land ensures that they are still integral to the setting of one another, which adds to their significance. Moreover, the open area between the former barn and stables and Millwood End is a historic relationship which contributes to the setting of both listed buildings.
8. The listed buildings are within the Millwood End Conservation Area (CA), which primarily focuses on the properties in Millwood End and some of the streets that lead from it. A reasonable proportion of properties are either Grade II listed buildings or locally listed buildings, which originate from the 17th and 18th Centuries, with many set within landscaped grounds. However, the majority of houses were constructed in the 20th Century and, although these are limited in their architectural qualities, they sit quietly amongst the historic buildings. In so far as it relates to the appeal, the significance of the CA today therefore lies at least in part in the positive contribution made by the rich legacy of historic structures, the architectural legibility of their built fabric, and the spatial and landscaped qualities of the setting of the historic buildings therein.

The proposal

9. The proposal is to insert a glazed door with outer frame in place of one of the tall fixed glazed panels to the right of the centre of the northern gable of the building, which serves the dining room. Two fixed panes would be retained to its left and one to its right.

Effect of the proposal

10. The framing of the proposed door would be inserted within the relatively slender existing framing of the glazed units within the former barn door opening. This would have the effect of significantly increasing the extent of framing to one part of the opening in the gable, which would unbalance its current symmetrical appearance. Although the appellant's Design and Access Statement suggests the door would be finished with dark paint to match the existing framing, there is a lack of clarity regarding the proposed materials of construction, as they could be either timber or aluminium, which would have a noticeably different appearance.
11. The proposed door would be clearly discernible as a later addition, it would reinstate access in a position where it previously existed for people, animals and vehicles, and there are properties in Millwood End that have similar accesses to their front curtilage areas. While the proposed door would not therefore be out of context in either regard, it would add to the domestication

of this former agricultural building, to the detriment of its special interest. Given that the special interest of a listed building within the CA would be diminished, the character and appearance of the CA as a whole would be incrementally harmed, so its significance would not be preserved.

12. I am mindful of the Framework's definition of 'setting' as being the surroundings in which a heritage asset is experienced and I have noted that the former barn and stables and farmhouse are important to the setting of one another. Moreover, the proposed door relates to a prominent part of the former barn and it would be readily apparent from public areas within the vicinity of the site. However, it would not be so prominent in the views available of the farmhouse that it would be detrimental to its setting.
13. The appellant has suggested that details of the door could be agreed by planning condition, but my concerns lie with the insertion of the door into the existing frame, so it would not be appropriate to agree such details by condition.
14. While the proposal would improve access to the land forward of the dining room and allow maintenance of the former barn, it is not inevitable that it would lead to a direct infringement of the planning condition imposed by the Council on the permission to convert the building to a dwelling. This controlled the use of the land in its foreground, adjacent to Millwood End.
15. The Council has presented fears of the potential for domesticating impacts associated with future use and alterations to the building emanating from the introduction of the proposed door. However, neither the application drawings nor supporting information refer to alterations to the land surrounding the listed building, and the appellant did not seek to vary the condition. The Council also does not appear to have sought to change the description of development. The condition would therefore remain in situ and the Council would continue to be able to enforce it with the aim of protecting the open setting of the barn and the appearance of the street scene, as it has previously been able to do. The proposed door would not alter this position, as such aspects could be implemented without the door.
16. Despite my findings in relation to the use of the land in the foreground of the proposed door and the effect of it on the setting of the farmhouse, the door would be harmful to the special interest of the listed former barns and stables and the character and appearance of the CA.

Public benefits and conclusions on the main issue

17. The statutory duties in Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) are matters of considerable importance and weight and paragraphs 197, 199 and 200 of the Framework are also of paramount importance.
18. The proposed door would fail to preserve the listed building or its features of special architectural or historic interest. Furthermore, as the special interest of a listed building within the CA would be diminished, the character and appearance of the CA as a whole would be incrementally harmed. In my view the harm that I have identified equates to less than substantial harm to the significance of these designated heritage assets. In such circumstances, paragraph 202 of the Framework and Policy EH9 of the West Oxfordshire Local

Plan 2031 (Adopted September 2018) (LP) identifies that this harm should be weighed against the public benefits of proposals.

19. I have already referred to the fact that the proposed door would help to facilitate access for the purposes of maintaining the listed building. While access to the northern side of the building requires navigating a short distance around the outside of the property, it is not inconvenient and does not appear to be restricted. This would therefore only amount to a heritage benefit of limited weight.
20. The public benefits I have outlined would not justify allowing development that would fail to preserve the special interest of the listed building or the character and appearance of the CA. Therefore, in accordance with policies of the LP and 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 I have identified to the heritage assets.
21. In light of the above, I conclude that the proposed development would fail to preserve the special historic interest of the Grade II listed former barn and stables, and the character and appearance of the CA. Hence, the proposal would fail to satisfy the requirements of the Act and it would conflict with the design and heritage aims of LP Policies OS4, EH9, EH10, EH11 and EH12, the West Oxfordshire Design Guide 2016, and paragraphs 126, 130, 134, 197, 199 and 200 of the Framework.
22. I have not found against LP Policy OS2, as it relates to the location of new development and the proposal affects an existing building.

Other Matters

23. The appeal site is near to the Grade II listed Eastwards (24 Millwood End), so I have had regard to the statutory duty referred to in the Act. However, given the proximity and physical relationship of the site with this designated asset, its setting would be preserved and the proposal would not detract from it.

Conclusion

24. The proposed development would be contrary to the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Accordingly, for the reasons given, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR