
Appeal Decision

Site visit made on 25 July 2022

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

an Inspector appointed by the Secretary of State

Decision date: 10 August 2022

Appeal Ref: APP/Y1138/Y/22/3292054

Downhayne, East Village, Crediton, Devon EX17 4DN

- 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 James Goldman against the decision of Mid Devon District Council.
 - The application Ref 21/00825/LBC, dated 20 April 2021, was refused by notice dated 17 September 2021.
 - The works proposed are described as conversion of curtilage 'linhay' barn to provide domestic related accommodation ancillary to principal residence.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal relates to an application for listed building consent. A related application for planning permission was also refused the Council, however this has not been appealed. It is outside the scope of this decision to consider the merits of such an appeal were it to be lodged.

Main Issue

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

Reasons

4. Downhayne Farmhouse and cottage, including the garden railings, is a Grade II listed building (the listed building), and thus a designated heritage asset. Whilst the Act sets out the desirability of preserving listed buildings, paragraphs 199 and 200 of the National Planning Policy Framework (the Framework) make clear both that great weight should be given to the conservation of designated heritage assets, and that clear and convincing justification should be given for any harm.
5. The parties are agreed that the linhay subject of this appeal is covered within the above listing as a 'curtilage' structure. In this regard the linhay appears likely to be of a similar date to the farmhouse and cottage and is located forward and immediately to the right of their front elevations. As such the buildings have a very close physical and visual relationship. The point at which the linhay ceased to be in active agricultural use is unclear. To the limited

extent that it is currently used, this appears to be in relation to the domestic use of the farmhouse and cottage.

6. Insofar as it is relevant to this appeal, the special interest significance of the listed building lies in its early-mid C19th date, reasonably formal design and historic function as a farmhouse. The latter is partly appreciable given the presence of linhay. This is itself a structure of regionally distinctive rural type, key attributes of which include its 2-storey open fronted design. The linhay in question further displays use of a mix of cob and stonework in its construction, typical of the rural vernacular.
7. The linhay has experienced settlement over time. Some renewal of timbers and unsympathetic repair of the walls has also occurred. The submitted structural appraisal further identifies a wide range of defects. However, whilst it is apparent that significant interventions will be required in order to stabilise and repair the building, the submitted report is limited to an initial appraisal. Indeed, no detailed structural scheme or supporting plans which illustrate required structural works have been set before me. This is despite both such a scheme and further assessment being recommended within the appraisal, and despite this being necessary for me to properly assess the full impact of the proposal.
8. The schedule of works otherwise outlines 'anticipated' interventions. However, as these are somewhat vaguely specified, uncertainty exists as to their precise impact. At worst the schedule provides broad scope for the removal of much of the linhay's timber structure. Given the survival of apparently original fabric this could result in significant loss of both historic integrity and character.
9. In view of the relative ease with which the fabric of the linhay can be inspected, there appears to be no reason to accept such a speculative, 'worst case' approach towards specification. Likewise, I can see no clear reason why it would be appropriate to defer the proper consideration and specification of structural works to some point in the future. Given that the schedule provides scope for a significant level of harm to arise without any grounding in a detailed structural scheme, it thus falls well short of providing the clear and convincing justification required.
10. The lack of supporting structural evidence further extends to works including proposed linings and possible underpinning, in relation to which no evaluation of the specific impacts on the historic fabric of the building has been provided.
11. The conversion would see the frontage enclosed with glazing. This would be necessary to facilitate reuse of the internal space. As the open frontage of a linhay is a defining characteristic, this would inevitably result in harm to the character of the building. In this case the design proposed would seek to moderate the resulting adverse effect by emphasising the timber structure across the frontage and providing scope for some continued perception of depth within external views.
12. The design would nonetheless be undermined by the inclusion of domestic details including rooflights, and features such as a 'contemporary' slatted screen that would obscure the identity of the building. Most crucially, given that design lacks a sound basis in a detailed structural scheme, whether or not it could be implemented without the wholesale removal of the existing timber structure is open to doubt.

13. The appellant has highlighted the recent conversion of a linhay at Chettiscombe Barton. Based on the limited evidence provided, the historic character and identity of the linhay in question appears to have been heavily obscured by the way in which the frontage has been enclosed. Whether or not the conversion was executed as approved is unclear. Even if it was, the identification of schemes considered to be insensitive does not provide a sound basis to justify the infliction of harm on other, unrelated buildings.
14. In the current case, the appeal scheme would help to facilitate reuse of the linhay and secure its future. Given both its condition and obsolescence within an agricultural context, some such long term solution is clearly required. Nonetheless, as set before me, the appeal scheme lacks the evidence and detail necessary to justify its adverse impact on the fabric of the building. This, together with insensitive detailing, means that I cannot find other than that the scheme would fail to preserve the contribution that the linhay makes to the special interest of the listed building, including its setting, and fail to conserve its significance.
15. The harm caused to the significance of the listed building would be less than substantial. Such harm attracts great weight. In accordance with paragraph 202 of the Framework it is necessary to weigh the harm to the significance of the listed building against the public benefits of the scheme.
16. Insofar as heritage benefits have been advanced in favour of the scheme, my assessment above indicates that the scheme's overall effects would be negative. Claimed heritage benefits do not therefore attract weight.
17. The scheme is intended to facilitate the provision of expanded accommodation for the appellant. However, the provision of expanded accommodation would be a private rather than public benefit, and so attracts no weight.
18. The implementation of the scheme would generate building work, however any benefits to the broader economy would be negligible. That being so, harm to the significance of the listed building would not be outweighed by public benefits.
19. For the reasons outlined above I conclude that the scheme would not preserve the Grade II listed building, including its setting, contrary to the expectations of the Act and heritage policy set out within the Framework. Insofar as it is relevant, the scheme would additionally conflict with Policy DM25 of the Mid Devon Local Plan 2013-2033 which generally supports the application of national policy in relation to heritage assets.

Conclusion

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

Benjamin Webb

INSPECTOR