



Appeal Decision

Site visit made on 2 November 2022

by E Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2022

Appeal Ref: APP/A3010/W/22/3298115

Manor Farm, Great North Road, Torworth, DN22 8NU

- 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 Chris and Sue Cannon against Bassetlaw District Council North Nottinghamshire.
 - The application Ref 22/00018/FUL, dated 7 January 2022, was refused by notice dated 24 March 2022.
 - The development proposed is described as 'creation of a two/single storey dwelling house.'
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the proposal relates to the setting of a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, and whether it would preserve the setting of the Grade II listed building at Manor Farmhouse, North Road (Ref: 1222654).

Reasons

The setting of the listed building

4. Manor Farmhouse is an elegant early 19th century farmhouse which is rendered with hipped slate roofs. It sits within a wider walled traditional farm complex which comprises a range of outbuildings a number of which have been converted (or are undergoing conversion) into residential use (Barns 1 to 4). The parties are agreed that the outbuildings are listed by curtilage association with the listed Manor Farmhouse.
 5. Despite various extensions and alterations to the buildings, including the introduction of residential curtilages and boundary enclosures associated with the former barns and their conversion, the grouping retains its historic legibility as a former traditional farm complex. In so far as relating to this appeal, the significance of the listed building is derived from its architectural and historic interest as a long established farm complex to which its traditional buildings,
-

historic fabric, and the relationship between the buildings and the spaces surrounding them all contribute.

6. The National Planning Policy Framework (the Framework) defines setting as the surroundings in which a heritage asset is experienced. Historically the grounds of the farm complex would have been larger. Anvil House was built on the north east corner of the wider site in the 1980s and has altered the historic setting of the heritage asset. Nevertheless, I find that the setting of the listed building, and the contribution that this makes to its significance, insofar as it relates to this appeal, is derived mainly from what remains of its historic open grounds and paddock and the spacing of the traditional buildings within the farm complex. These factors contribute to the setting of Manor Farmhouse and its associated buildings and affect how it is appreciated.
7. The appeal site comprises an open area of land at the north east corner of the farm complex adjacent to Anvil House. It is a surviving remnant of the original walled grounds associated with Manor Farm and would have formed part of its paddock. As a component of its historic grounds, and as one of the last remaining areas of open land not now associated with a dwelling or forming part of a residential curtilage, the open nature of the appeal site speaks of the presence of a working farm on the wider site and attests to Manor Farm's formerly more wide ranging grounds. Thus the appeal site has a historic relationship with the listed building and its associated structures and allows an appreciation of their background as well as their former status and function.
8. There is also a visual relationship between the appeal site and the listed building. Whilst views between the appeal site and the farmhouse are limited by the intervening barns, there is clear inter-visibility between the appeal site and a number of the associated buildings. The barns are seen from the appeal site, and contextual views of these curtilage listed buildings from Blacksmith Lane, as well as through the access driveway from Great North Road, also include the appeal site.
9. Thus, the appeal site has both a historic and a visual relationship with the buildings that constitute Manor Farmhouse and therefore contributes to the setting and understanding of that heritage asset and the appreciation of its significance. I have had special regard to this matter in considering the appeal.

The effect of the proposal

10. A part single/part two storey detached building in the style of a converted barn is proposed. The Council raises no objections to its design per se. It would be accessed via the existing shared driveway from Great North Road and would not require a new opening in the boundary wall, or result in the loss of any historic fabric.
11. The proposal seeks to address the reasons for refusal of a previous scheme and I have had regard to the appellants' Heritage Impact Assessment. The building would be sited on the east part of the appeal site adjacent to Anvil House. It would screen Anvil House from sight in views from the wider farm complex and Blacksmith Lane. Its linear form would align with adjacent Barn 1 to the south, and an area of open land would be retained within the appeal site to the west of the proposed building which would allow some views across the site from Blacksmith Lane towards Barns 2 and 3 and the farmhouse beyond. Some

corresponding views back across the site towards Broomfield on the north side of Blacksmith Lane would also be retained.

12. Nevertheless, the currently open nature of the appeal site and what remains of the former paddock would be significantly eroded. Whilst it would not be seen from the farmhouse or prominent in views taken north/south along the higher order roads of Great North Road and Low Street, the intrusion of new residential development into the appeal site would be keenly appreciated from Blacksmith Lane. The considerable building would be seen from there directly in front of Barn 1 and to varying extents in views taken across the farm complex and towards the other barns and the farmhouse. It would also be appreciated through the access to the wider site from Great North Road.
13. I accept that Manor Farmhouse's surroundings have already been eroded by the construction of Anvil House which is sited on part of the former paddock and that as a result its significance has been compromised to some degree by development in its setting. That said, consideration still needs to be given to the cumulative impact of any further development including as to whether additional change would further detract from the significance of that heritage asset.
14. The appeal site is free from development and in constructing a new dwelling the proposal would introduce built development to what is effectively the last open area within the farm complex that is not directly associated with a barn conversion or the farmhouse itself. It would be appreciated as a large and dominating addition to the site that would lead to the loss of an important surviving vestige of the paddock associated with Manor Farmhouse.
15. Whilst part of the site would remain open, it would provide a garden area and car parking associated with the residential use of the proposed dwelling. Any sense of its former agricultural function would be lost. Thus the proposal would result in the residential development of a good deal of the remaining open land associated with the historic buildings and would do away with an important link between the listed building and its original setting.
16. Taking these factors into account I find that the proposal would be appreciated as an unwelcome intrusion of new residential development, that would detract from the open rural character of both the site and of this part of the village. Moreover, it would diminish what remains of the site's historic agricultural character and curtail any appreciation of the former function and layout of land and buildings there. Thus it would detract from the legibility of the important historic farm complex and erode the ability to understand its farming past.
17. Bringing matters together, in introducing the proposed house to the appeal site within the setting of the nearby historic building and the other buildings associated with it, for the reasons given, the proposal would unacceptably intrude into an important part of what is left of the building's original setting and diminish the contribution of the setting of the building to its significance. For these reasons I find that the proposal would fail to preserve the setting of Manor Farmhouse and would be harmful to the character and appearance of the area. That the site is not within a conservation area does not alter my view.

The heritage balance

18. I therefore conclude on the main issue that the proposal would be harmful to the character and appearance of the area and would not preserve the setting of the listed building. I give this harm considerable importance and weight in the balance of this appeal.
19. The Framework advises at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 of the Framework goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
20. I find the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight. Paragraph 202 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
21. The appellants consider that the proposal would conclude the development of the historic site overall and ensure that the former paddock has a viable role in this context in order to protect the heritage asset. However, I have seen no evidence to demonstrate why the current use of the site is unviable, or any explanation as to what threats would arise to the listed farmhouse or its associated buildings, if the appeal were to be unsuccessful.
22. For the reasons set out above, I am not persuaded that the current appearance of the site appears incongruous in the context of the wider site and the new residential development there. Nor has any information been provided to explain how the amenities of nearby residents would be harmed if the appeal scheme were to fail. Thus, I cannot see that any significant public benefits would arise from the proposal in these regards.
23. The proposal would contribute to housing land supply, and lead to the creation of some construction jobs. However, given the modest scale of the proposal for a single dwelling these benefits would not be great. Thus overall, I find that the public benefits of the proposal would not outweigh the harm to the significance of the designated heritage asset I have identified.
24. The proposal would be contrary to Policy DM8 of the Bassetlaw Local Development Framework (LDF) which indicates that the historic environment shall be protected and enhanced to secure its long term future and that development that would be detrimental to the significance of the heritage asset or its setting will not be supported. There would also be conflict with LDF Policy DM4 which requires development to be of a high quality design that respects the character of the area and the wider surroundings in relation to historic development patterns.
25. Therefore the proposal would fail to satisfy the requirements of the Act and paragraph 197 of the Framework and would be in conflict with the development plan.

Other Matters

26. Despite the concerns of local residents the Council raises no objections to the proposal in terms of its effect on the living conditions of nearby occupiers. The absence of harm in this regard counts neither for, nor against the proposal.
27. A modern housing estate permitted by the Council nearby is cited by the appellants. Whilst no further details are given, I am not aware of the circumstances that led to that development and so cannot be sure that they are the same as in the case before me. As such, I am not persuaded that this existing development is a reason to allow a proposal which I have found to be harmful.
28. The appellants indicate that the application was refused by the Council without any discussion and despite requests for a meeting. However, that is a matter between the appellants and the Council. I confirm that I have considered the proposal on its own merits and made my own assessment as to its potential impacts.
29. The site is within an area of archaeological interest and the Council is concerned that no evidence has been submitted to assess the archaeological potential of the site or the impact of the proposed development. Whilst the appellants are willing to accept a planning condition in this regard, since I am dismissing the appeal in relation to the main issue as identified, and as this in itself provides compelling grounds to resist the proposal, I have not considered this matter further.

Conclusion

30. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be dismissed.

E Worthington

INSPECTOR