



Appeal Decisions

Site visit made on 24 October 2022

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2022

Appeal A Ref: APP/Y0435/W/22/3298228

Orchard Barn, Stoke Goldington Road, Ravenstone MK46 5AU

- 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 James Pacifici against the decision of Milton Keynes Council.
 - The application Ref 21/02748/FUL, dated 6 September 2021, was refused by notice dated 11 February 2022.
 - The development proposed is described on the application form as: 'Insertion of double doors at ground floor level into northeast elevation of Orchard Barn (retrospective)'.
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Appeal B Ref: APP/Y0435/Y/22/3298230

Orchard Barn, Stoke Goldington Road, Ravenstone MK46 5AU

- 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 Pacifici against the decision of Milton Keynes Council.
 - The application Ref 21/02749/LBC, dated 6 September 2021, was refused by notice dated 11 February 2022.
 - The works proposed are described on the application form as: 'Insertion of double doors at ground floor level into northeast elevation of Orchard Barn (retrospective)'.
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Decisions – both appeals

1. Appeal A is allowed and planning permission is granted for Insertion of double doors at ground floor level into northeast elevation of Orchard Barn (retrospective) at Orchard Barn, Ravenstone MK46 5AU in accordance with the terms of the application, Ref 21/02748/FUL, dated 6 September 2021, subject to the following condition:
 - 1) The development hereby permitted shall be retained in accordance with the following approved plans: ORC01; ORC-04A; ORC-05A.
2. Appeal B is allowed and listed building consent is granted for Insertion of double doors at ground floor level into northeast elevation of Orchard Barn (retrospective) at Orchard Barn, Ravenstone MK46 5AU in accordance with the terms of the application, Ref 21/02749/LBC, dated 6 September 2021, subject to the following condition:
 - 1) The works hereby permitted shall be retained in accordance with the following approved plans: ORC01; ORC-04A; ORC-05A.

Preliminary Matters

3. The descriptions of works and development in the above banner headings are taken from the application form. Whilst Section 8(3) of the Act provides for 'retrospective' listed building consent being granted, this would only be

effective from the date of consent rather than at any prior point in time. I saw on my site visit that the double doors in question are already in place and from here on out in my decision letter I shall consider their retention.

4. A range of householder permitted development rights were withdrawn via condition when planning permissions were granted in 2014 and 2016 for the residential conversions of the appeal building and other adjacent former barns, hence the requirement to seek planning permission in this case.
5. For the purposes of the Act, Section 1(5)(b) establishes that any object or structure within the curtilage of the building, although not fixed to the building, forms part of the land and has done so since before 1 July 1948, shall be treated as part of the building.
6. Not only is an appeal for listed building consent for works to the appeal building before me, it has also been treated as a curtilage listed building throughout the recent planning history including when listed building consent was previously granted for works to it. Whilst the curtilage of a listed building can evolve over time, there remains a discernible physical relationship between the principal listed farmhouse and the ancillary agricultural buildings around it that is typical of historic farmstead layouts where a main farmhouse is visually ascendant yet still integral to the wider group of interrelated accessory structures. Furthermore, the close physical relationship to the listed building is reflective of a historic functional association. As such, despite being independently owned and being served by a separate access, I judge the appeal building to fall within the curtilage of the farmhouse and thus to be covered by the same statutory protection.
7. These decisions address both planning and listed building consent appeals for the same site and the same scheme. Whilst the remit of each regime is different, to reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single decision letter whilst having regard to the statutory duties that apply under Sections 16(2), 66(1) and 72(1) of the Act.

Main Issues – both appeals

8. The main issues, common to both appeals, are whether the works and development have preserved the setting, special architectural or historic interest of the Grade II listed building known as 'Yew Tree Farmhouse'; whether the special architectural or historic interest of the appeal building has been preserved; and whether the character or appearance of the Ravenstone Conservation Area (the CA) has been preserved.

Reasons

9. Orchard Barn, the appeal building, is a former agricultural barn that has, in recent times, been converted to a dwelling. It has an historic association with the Grade II listed building known as Yew Tree Farmhouse (the farmhouse), which comprises a 17th-century rubblestone farmhouse with a part-thatched roof that, according to the appellant's Heritage Statement, was first listed in 1984. A collection of stone-constructed former farm buildings now converted to separate dwellings are situated to the east of the farmhouse. These include the appeal building.
10. The significance and special interest of the listed farmhouse is drawn, in part, from its historic integrity, its architectural form, its historic fabric, and its

relevance to the historic evolution and rural history of the area. This significance and special interest is further underpinned by the continued legibility of the farmhouse as the principal structure of a farmstead complex, and by the inherent ruralness of the asset's immediate and wider surroundings. The appeal building is formed of inter-connected stone ranges and has a slate roof. Its significance and special interest is drawn, in-part, from the continued legibility of its historic functional relationship with the farmhouse and from its surviving historic built fabric.

11. The CA encompasses much of the village of Ravenstone and incorporates the farmhouse and the appeal building. The significance and special interest of the CA as a designated heritage asset is drawn, in-part, from its array of historic buildings and traditional materials and from the verdant ruralness of its fringes and wider surroundings. The farmhouse and its setting are reflective of these broad characteristics, and thus make a positive contribution to the character and appearance of the CA taken as a whole.
12. Whilst still read as a barn, the appeal building has been considerably altered as part of its modern upgrade to become a dwelling. For example, as an inevitable consequence of conversion works, a range of differently sized apertures are in place to suit residential occupation including along its longest north-west and south-east elevations. Although it is my understanding that these are largely positioned in locations where former apertures once existed, it remains that they offer distinct domesticating influences. Furthermore, the rear of the appeal building is now experienced in the context of a residential garden, within which various domestic paraphernalia has been introduced.
13. It has been put to me that the north-east elevation where the appeal double-doors have been installed, when formerly blank, aided the interpretation of the historic form and function of the appeal building, which would have once stood as an open-bayed cart shed with blind rear elevation. However, the former open side of the same component of the barn has been significantly altered as a consequence of conversion works and now contains a series of domestic glazed openings. Thus, despite being outward facing in the context of a surrounding rural hinterland, the retention of a north-east elevation wholly clear of openings is not essential to preserving the appeal building's authenticity, significance and special interest. Moreover, in my judgement, a high level of architectural or historic interest or significance does not derive from this particular part of the building.
14. I accept that a designated heritage asset's significance is not solely governed by whether it, or any changes to it, is/are visible from the public realm. Indeed, any loss of historic fabric, even if discreetly located, as in this case, holds the potential to cause material harm. However, the appeal double-doors have necessitated a very limited loss when considered in the context of the appeal building taken as a whole. Furthermore, the doors are timber constructed and finished to resemble a separate set of double-doors that are closely positioned to the northwest elevation of the building. Overall, in the context of the appeal building having taken on a domestic character through previous conversion works, I do not consider that the appeal double-doors have undermined the historic integrity of the appeal building, thus its architectural and historic interest, as well as its significance, has been preserved.

15. The appeal works are considerably distanced from the farmhouse. Their introduction has not weakened the farmhouse's legibility as the principal structure of a former farmstead complex. Furthermore, where they would be visible at distance, the appeal double-doors would sit comfortably within the context of other small-scale domestic changes at the appeal building. The doors do not undermine the integrity or significance of the listed farmhouse, and do not resemble a prominent, stark or unacceptable addition to the former farmstead. As such, the setting and special interest of the listed farmhouse has been preserved and the doors have not harmed its significance as a designated heritage asset.
16. In the context of the CA's character and appearance, the alterations under consideration, being focused at low level and to the rear of the appeal building, have limited visibility and effect. It is also relevant that the installed doors are of timber construction and are broadly respectful of the materials and specifications of other openings that already serve the appeal building. As such, the CA's character and appearance and heritage significance are preserved.
17. For the above reasons, the appeal double-doors have preserved the Grade II listed farmhouse and its setting, the appeal building, and any features of special architectural or historic interest that they possess. Furthermore, the works and development have preserved the character and appearance of the CA. Consequently, I do not find conflict with the clear expectations of Sections 16(2), 66(1) and 72(1) of the Act. The scheme accords with Policies D1, D2 and HE1 of Plan:MK (2019) and Policies CD1 and CD2 of the Ravenstone Neighbourhood Plan (2019) in so far as these policies require that development proposals should protect, conserve and, wherever possible, enhance the significance of heritage assets, and with the historic environment policies contained within the National Planning Policy Framework (July 2021).

Other Matters

18. A neighbouring objector has indicated that he previously gave support for past applications at the same site based on promises made at a public meeting that specified actions would be fulfilled. In any event, a residential use of the appeal building has clearly established and the appellant is entitled, under the Act, to seek to regularise works executed without listed building consent.
19. I am content that the appeal double-doors do not provide undue overlooking opportunities to the detriment of neighbouring living conditions. I am also satisfied that, in the context of a residential use of the appeal building having established, the level of light realistically omitted from the doors outside of daylight hours does not lead to unacceptable light pollution to the potential detriment of local wildlife.
20. My attention has been drawn to an Historic England advice note¹, and to, contained within, a specific simplified example of a farmhouse and detached farm buildings. It is indicated in the advice note that, in view of the degree of physical separation and the distinction in domestic and business functions that apply in that particular example, the farm buildings are likely to be considered to fall outside the curtilage. However, this example is not intended to provide

¹ Listed Buildings and Curtilage, Historic England Advice Note 10 (February 2018)

a definitive answer and the circumstances of any individual case shall always differ and require careful consideration.

21. The proposal that is the subject of Appeal A accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusions – both appeals

22. For the above reasons, I conclude that both Appeal A and Appeal B should be allowed. As the works and development have already taken place, the only condition required, in the case of each appeal, is one that specifies the plans for the sake of clarity.

Andrew Smith

INSPECTOR