



---

## Appeal Decision

Site visit made on 3 November 2022

**by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 January 2023**

---

**Appeal Ref: APP/B1930/W/22/3297340**

**Searches Farm, Searches Lane, Bedmond, St Albans WD5 0SB**

- 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 Murphy (Robarb Searches Ltd) against the decision of St Albans City & District Council.
  - The application Ref 5/21/2291, dated 5 August 2021, was refused by notice dated 31 March 2022.
  - The development proposed is the redevelopment of previously developed land comprising the demolition of existing buildings and structures, change of use of barns from mixed use B2 (Joinery workshops) and Sui Generis (gun club clubhouse) to Class C3a (residential) to create one 2-bedroom dwelling and two 3-bedroom dwellings, and the construction of five 4-bedroom dwellings, a well-house, water tanks and associated car parking, landscaping and a new access road.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The St Stephen Parish Neighbourhood Plan (NP) 2019-2036 was made at the time of the Council's refusal of the planning application. A relevant NP development management policy is commented upon within this decision.

### Main Issues

3. The site is within the Green Belt and so the main issues are:
  - whether the scheme is inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and the Development Plan;
  - the openness of the Green Belt;
  - the setting of a Grade II listed building, known as the Barn at Searches Farm; and
  - if the scheme is inappropriate development, whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

## Reasons

### *Whether inappropriate development*

4. The appeal site comprises the listed barn, wooden and metal workshops, sheds, lean-tos, shipping containers, portacabins and hard standings. The proposal would demolish existing buildings and structures, remove hard standings, convert the listed barn into residential use, erect 5 houses and create a new access road.
5. Paragraph 149 of the Framework states that the construction of new buildings should be considered as inappropriate. An exception is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
6. Policy 1 of the St Albans Local Plan Review (LPR) 1994 sets out that planning permission will not be granted for development within the Green Belt, unless very special circumstances can be demonstrated, or the development falls within a listed category. The proposal does not fall within any of the categories. However, it does not include the above exception under the Framework and for the purposes of determining inappropriateness, the Framework has been used here.
7. Both parties have accepted that the above exception is relevant in considering inappropriateness and have compared footprint, floorspace and volume of the existing and proposed buildings. There is a dispute over whether buildings/structures attached to the listed building can be judged as lawful for inclusion within the calculations. Based on what I saw on my site visit, the appellant's justification for the existing buildings/structures (to be included) is more compelling and the footprint, floorspace and volume of the proposed new buildings would be less than the existing lawful buildings.
8. However, the roof eaves and heights of the new houses would generally be higher than the existing buildings/structures to be demolished. First floor accommodation would be noticeable through greater fenestration, including dormers, at this level. Therefore, the dwellings would appear as more noticeable higher storey blocks, due to their greater resultant massing and bulk, than the mainly low-lying buildings and structures across the existing site. Additionally, there would be a new access road of significant length and width, being of a generous single lane width with passing bays, through a field/paddock where any existing track is of a far less developed nature. The siting and construction of the road through a largely undeveloped field/paddock would result in a conspicuous extension of development into the open countryside.
9. In the appeal 2019 decision, an Inspector found that an access road serving a grain store was not inappropriate development. It was found that the access road would not affect openness because it would be at ground level and largely imperceptible in views of the site from nearby positions. In the appeal before me, the access road would be extensive across a largely open field/paddock and would be publicly visible from an access point onto a connecting road, as well as within the development. With the removal of industrial and commercial uses, there would be a reduction in traffic movements to and from the site, but

the access road would result in the extension of traffic movements into an area of the Green Belt with little, if any such movements, and this would draw attention to the significant extent of the development, including the new access road. For all these reasons, there are important differences between this decision and the appeal proposal before me, and this demonstrates that every proposal has to be considered on its particular planning merits.

10. Consequently, the development, including the new access road, would greatly impact upon and harm the openness of the Green Belt, both spatially, due to its physical presence, and also visually. For all these reasons, the proposal would be inappropriate development.

#### *Setting of a listed building*

11. The site lies within open countryside in proximity to the M1/M25 motorway junction. The barn is part of an original farmstead comprising a farmhouse, granary, and outbuildings at Searches Farm. The barn is group listed Grade II whilst the farmhouse and granary are also listed Grade II. A Heritage Building Appraisal<sup>1</sup> (HBA) indicates that the barn is likely to have originated in the mid-to-late 17th century.
12. The statutory list entry (List Entry 163887) indicates the barn as comprising a long weatherboarded range with a plain tile roof bounding the side of a (former) farmyard. There is a gabled cart entrance and a late 18<sup>th</sup> century/19<sup>th</sup> century red brick extension with dentilled brick eaves and hipped roof facing out from the farmstead into the collection of industrial/commercial buildings and countryside. The HBA details two bays were added at its eastern end in the early 19th century. Internally, there are two threshing floors and an altered wooden frame to the barn. By reason of its nature, the barn and the neighbouring listed buildings would have had a surrounding agricultural context.
13. Surviving historic fabric, traditional detailing, the long and prominent form of the barn are amongst the features that underpin the listed building's architectural and historic interest. Its agrarian setting has been compromised and changed with the varied collection of industrial/commercial buildings/structures and hard standings. Nevertheless, beyond this, there are fields/paddocks, and the barn remains a prominent feature, along with the farmstead, within a wider area. Consequently, its legibility as a former agricultural building remains and this important quality contributes to the significance and special interest of the heritage asset as well.
14. The proposal would result in five barn like dwellings and the conversion of the existing barn. The removal of unsightly industrial/commercial structures and hard standings would be a visual improvement to the heritage significance and special interest of the site. However, the design and layout of the dwellings would be distinctly suburban with visible first floor accommodation, vehicle and amenity hard surfaced areas, and a new substantial access road through field/paddock. In this regard, dwellings have been designed with dormers and extensive fenestration at the first floor and this would not be in keeping with the aim of achieving barn type buildings. The barn has limited number of dormer openings on an extensive length of otherwise extensive tiled roof.

---

<sup>1</sup> Historic Building Appraisal and Heritage Statement, Searches Farm, Searches Lane, Bedmond, Hertfordshire, Archaeological Solutions Ltd, August 2011.

Such development characteristics associated with the scheme combine to create a distinctly suburban development.

15. For all these reasons, the height, scale, extent and suburban design of development would visually dominate and compete with the listed barn and adversely affect its setting in a greater way than the existing industrial/commercial buildings/structures. There would be limited public views of the dwellings, but heritage assets are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views can be gained. In any case, the unacceptable impact on setting would be evident from residents and visitors to the new development. As such, the limited public views would not be an overriding consideration to justify an adverse impact on setting.
16. Therefore, whilst some elements of the proposal would be beneficial, overall, it would harm the significance of the heritage asset and would fail to preserve the setting of the listed building leading to conflict with the requirements of s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
17. The degree of harm to the significance of the listed building, as a designated asset, would, in terms of the Framework, be less than substantial. In accordance with paragraph 202 of the Framework, the harm should be weighed against the public benefits of the proposal, including securing the optimum viable use.

#### *Other considerations*

18. The residential development would boost housing land supply in an area, where there is a deficient and worsening 5 year housing land supply position. It would make effective use of a brownfield site. There would be economic benefits from the construction of the dwellings and the conversion of the barn for residential purposes. The development would make use of sustainable building design technology, especially in relation to renewable energy, use an aquifer for water, and landscaping and wildlife improvements, including a wildflower meadow, would enhance biodiversity. The proposal would remove unsightly buildings/structures and hard standings from the site, and furthermore, there would be a reduction in associated traffic compared to the residential development.
19. Planning permission has also been granted for residential development on the site, including new build dwellings, which the appellant has indicated to be a fallback position. In relation to the permission, the proposed dwellings would be higher with first floor accommodation and greater amount of hard surfacing, including access road. Indeed, this permitted development was also served by the existing access road and did not involve a new access road through a field/paddock. As such, the proposal would have a far greater urbanising impact. There is an extant listed building consent for the conversion of the barn to dwellings.

#### **Heritage, Green Belt and Planning Balance**

20. In accordance with paragraph 202 of the Framework, the harm to the designated heritage asset should be weighed against the public benefits of the proposed development. There would be housing, economic and environmental benefits, including removing unsightly features from the site, but the fallback

position of the planning permission would result in less harmful effects given its smaller scale and extent. Listed building consent has also been granted for the conversion of the barn into residential. Therefore, many of the benefits purported by the appellant could be achieved through progression of these schemes and this undermines the justification for the harm identified in this case and reduces the weight I attach to the benefits associated with it.

21. Therefore, for the heritage asset, the public benefits, which would accrue from the proposal, would not be sufficient to outweigh the less than substantial harm identified and the considerable importance and weight this carries. Under the Framework, the conflict with the historic environment policies would provide a clear reason for refusal.
22. Inappropriate development in the Green Belt is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework establishes substantial weight should be given to any harm to the Green Belt. The Framework states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
23. The housing, economic and environmental benefits of the scheme would weigh in favour of the proposal. However, the weight of such benefits is reduced given that the fallback position would have a less harmful impact on the Green Belt. There would also be harm to a designated heritage asset. For all these reasons, 'Very special circumstances' do not exist as the harm to the Green Belt by reason of inappropriateness and other harm are not clearly outweighed by other considerations.
24. There would be conflict with Policies 1 and 86 of the LPR, and Policy S5 of the NP, which collectively and amongst other matters, indicate planning permission should not be granted for inappropriate development, special regard should be had to the desirability of preserving the listed building or its setting, and development should be of a high design standard. There would be conflict with the development plan, taken as a whole, and there would be no material considerations that indicate that it should be determined other than in accordance with the development plan. Conflict with Framework policies on Green Belt and heritage assets would provide clear reasons for refusal.

## **Conclusion**

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

*Jonathon Parsons*

INSPECTOR