



Appeal Decision

Site visit made on 21 February 2023

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 April 2023

Appeal Ref: APP/K3415/Y/22/3292982

The Hay Barn, Mill Lane, Stonnall, Walsall, WS9 9HN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Corin Bowen against Lichfield District Council.
 - The application Ref 21/02082/LBC is dated 17 December 2021.
 - The works proposed are described as *'The application seeks permission/consent to replace all the windows and doors to the front and rear of the property and to repair/restore external brick work pointing using a lime mortar'*.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Hay Barn is a residential barn conversion attached at right angle to the neighbouring residential barn conversion The Great Barn, with which it also fronts a former farmyard. Purely insofar as it is relevant to my assessment of this appeal, I consider that these dwellings likely fall under the auspices of the single Grade II listed building 'Barn approximately 60 metres west of Ivy House Farmhouse' (hereafter the Listed Barn). Its list description relates foremost to what is now The Great Barn, but also refers to a 'lower addition to right', which I take to be The Hay Barn. Even if this were not the case, I would alternatively consider The Hay Barn to likely fall within this listing by virtue of it being a pre-1948 constructed building within the historic curtilage of the Listed Barn.
3. The Council failed to determine the application within the requisite period. The Council has now set out a notional reason for refusal in Paragraph 5.2 of its appeal statement, to which the appellant has had the opportunity to respond during the appeal process. I assessed the appeal on that basis.

Main Issue

4. Consequently, the main issue to be considered is the effect of the proposed works on the special architectural and historic interest of the Listed Barn.

Reasons

5. The Listed Barn is of 18th century origin and derives significance from its age, historic fabric, and its utilitarian appearance, which shows us its agricultural heritage. The list description identifies it as one of a series of large barns in the area reputedly built by the same hand. Thus, it also draws significance as a vernacular building constructed in locally occurring materials available at the time. Also of pertinence, an historic photograph of the Listed Barn before its conversion shows its large threshing openings with prominent wooden doors.

6. The appellant has taken attentive consideration of Historic England guidance and I recognise that the existing windows and doors are modern, in disrepair and need replacement. They are also painted in an incongruously domestic white. However, given its vernacular heritage and craftsmanship, and the evidence of its former timberwork threshing doors, it is important to the wider significance of the Listed Barn that any replacements are crafted in natural materials in my view. Even if aesthetically the proposed uPVC would, at first blush, mimic timberwork, proper inspection would likely show the windows and doors up to be imitative, mass fabricated items. They would therefore degrade the way people would draw sensory and intellectual stimulation from the Listed Barn's historic vernacular agrarian form, albeit to a modest extent.
7. The harm to the Listed Barn would it follows, in the parlance of the National Planning Policy Framework (the Framework), be less than substantial. The Framework nonetheless explains that great weight should be given to the conservation of designated heritage assets. Paragraph 202 requires decision makers to weigh any less than substantial harm against the public benefits of the scheme. That balancing exercise must take place in the context of s.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which sets a strong presumption against a grant of listed building consent for works that would cause harm to the special interest of a listed building.
8. The works would improve the appearance of the Listed Barn but only insofar as the existing windows and doors are in an obviously deleterious condition and the replacements could also be in a more appropriate colour. The Hay Barn would benefit from enhanced thermal, acoustic and security performance. However, it seems to me that all of these benefits could be achieved with a more suitable material such as timber. Given the simplicity of the Listed Barn and the lack of embellishment of its fenestration, new windows could be double glazed without harm to significance. Whilst I am mindful of the personal circumstances of the appellant, the limited need to actively maintain uPVC windows is not a compelling argument to support harmful change.
9. As such, the weight I attach to the public benefits falls short of justifying the harm that would be caused; harm that must be given considerable importance and weight in the balance. This also brings the proposed works into conflict with Policies CP14 and BE1 of the Lichfield District Local Plan Strategy 2008-2029 (adopted 2015) insofar as they together seek to secure good design that protects designated heritage assets and the historic environment generally.
10. The appellant has referred to windows within the adjacent, and also Grade II listed building, Ivy House Farmhouse. I do not know the detailed circumstances of this property but, as an intrinsically and historically residential building with more embellished domestic fenestration, it does not lend particular weight to the insertion of uPVC windows and doors into the Listed Barn. Likewise, the use of the proposed products within historic settings elsewhere does not serve to justify the proposed works when the special architectural and historic interest of the Listed Barn is assessed on its merits and in its own individual terms.
11. For these given reasons, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones
INSPECTOR