



Appeal Decisions

Hearing held on 18 and 19 May 2022

Site visit made on 17 and 18 May 2022

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 June 2023

Appeal A: APP/C3105/W/21/3276350

Manor Farm, Station Road, Hook Norton OX15 5LS

- 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 F Speir against the decision of Cherwell District Council.
 - The application Ref 20/02193/F, dated 10 August 2020, was refused by notice dated 4 December 2020.
 - The development proposed is repairs, alterations and extension to dwellinghouse. Conversion of and alterations to agricultural buildings to ancillary residential use and erection of new buildings to be used ancillary to the dwellinghouse. Associated landscaping.
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Appeal B: APP/C3105/Y/21/3276354

Manor Farm, Station Road, Hook Norton OX15 5LS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr F Speir against the decision of Cherwell District Council.
 - The application Ref 20/02192/LB, dated 10 August 2020, was refused by notice dated 4 December 2020.
 - The works proposed are repairs, alterations and extension to dwellinghouse. Conversion of and alterations to agricultural buildings to ancillary residential use and erection of new buildings to be used ancillary to the dwellinghouse. Associated landscaping.
-

Decision

Appeal A

1. The appeal is allowed and planning permission is granted for repairs, alterations and extension to dwellinghouse. Conversion of and alterations to include partial rebuilding of agricultural buildings to ancillary residential use and erection of new buildings to be used ancillary to the dwellinghouse. Associated landscaping, at Manor Farm, Station Road, Hook Norton OX15 5LS, in accordance with the terms of the application, Ref 20/02193/F, dated 10 August 2020, subject to the attached schedule of conditions.

Appeal B

2. The appeal is allowed and listed building consent is granted for repairs, alterations and extension to dwellinghouse. Conversion of and alterations to include partial rebuilding of agricultural buildings to ancillary residential use and erection of new buildings to be used ancillary to the dwellinghouse. Associated landscaping, at Manor Farm, Station Road, Hook Norton OX15 5LS, in accordance with the terms of the application Ref 20/02192/LB, dated 10 August 2020, and the plans submitted with it, including Drawings: 19104

PE1010 Revision I, 19104 PE1011 Revision G, 19104 PE1012 Revision A, 19104 PE1015 Revision E, 19104 PE1016 Revision C, 19104 PP1010 Revision F, 19104 PP1011 Revision F, 19104 PP1030 Revision E, 19104 PP1031 Revision F, 19104 PP1032 Revision F, 19104 PP1033 Revision F, 19104 PP1034 Revision F, 19104 PP1035 Revision F, and 19104 PS1011 Revision A, and subject to the attached schedule of conditions.

Preliminary Matters

3. The description of development and works set out in the banner headings are taken from the Application Form and refer to the proposal determined by the Council and upon which public consultation was undertaken. Since the Council's decisions, the stone barn east of the Farmhouse has been taken down and the Council has approved repairs and alterations to this building¹, along with some to the barns south of the farmyard but, in all cases, the buildings would remain in agricultural use. The appeals are for the buildings to be used as habitable spaces in connection with the Farmhouse, which has also had works approved². Further details of the approved schemes are detailed in the first main issue.
4. The appeals were therefore supported by a full set of amended drawings that did not form part of the original applications. Having regard to the Wheatcroft principles³, I am conscious the appeal process should not be used to progress alternatives to a scheme that has been refused. However, a large proportion of the amendments refer to the works and development already approved by the Council and subject to public consultation with interested parties. These include works to the Farmhouse, the stone barns east of the Farmhouse and south of the farmyard. The Council has also granted retrospective approval for guest accommodation northeast of the Farmhouse⁴. Details of the former are shown on the drawings, but the latter has been omitted given there are no further proposals for that building.
5. There are also further elements omitted from the drawings, including works to the master bedroom ceiling and to remove the first-floor window from the lobby to the bathroom. Further changes were also made to clarify works to the second-floor bathroom in relation to a tie beam, the nature of dormer windows proposed to the roof, to include an opening into the Farmhouse yard from the glazed link extension, and clarification of rebuilding of the farmyard east wall.
6. Overall, having regard to the approved schemes and the limited scope of the amendments that have not already been through consultation, I am satisfied that interested parties would not be prejudiced if I were to determine the appeals in relation to the amended drawings⁵.
7. In light of discussions at the Hearing regarding revisions to the appeal scheme, the main parties agreed the description of development and works should reflect the amended plans and approved schemes, to include rebuilding:
'Repairs, alterations and extension to dwellinghouse. Conversion of and

¹ Planning References: 21/03454/F and 21/03455/LB.

² Planning References: 21/03387/LB and 21/03386/F..

³ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37].

⁴ Planning Reference: 21/03376/F.

⁵ Drawing References: 19104 PE1010 Revision I, 19104 PE1011 Revision G, 19104 PE1012 Revision A, 19104 PE1015 Revision E, 19104 PE1016 Revision C, 19104 PP1010 Revision F, 19104 PP1011 Revision F, 19104 PP1030 Revision E, 19104 PP1031 Revision F, 19104 PP1032 Revision F, 19104 PP1033 Revision F, 19104 PP1034 Revision F, 19104 PP1035 Revision F, and 19104 PS1011 Revision A. These are listed in the planning condition for plans on the planning permission and the decision for listed building consent.

alterations to include partial rebuilding of agricultural buildings to ancillary residential use and erection of new buildings to be used ancillary to the dwellinghouse. Associated landscaping.'

8. The two appeals concern the same scheme under different, complementary legislation. I have therefore dealt with both appeals together in my reasoning.

Main Issues

9. In its Statement of Case, the Council identified that the bat loft, proposed within the mitigation strategy for the loss of a maternity roost in the loft space of the Farmhouse, would not be situated within the red line of the appeal site. It therefore raised that this would require planning permission, with there being uncertainty that this would come forward, and there would subsequently be an absence of mitigation. It is therefore necessary for the effect on bats to form a main issue for consideration, for Appeal A.
10. The main issues are:
- whether the proposal would preserve a Grade II listed building, 'Manor Farmhouse', and any of the features of special architectural or historic interest that it possesses, including its setting; and
 - the effect of the proposal on bats (Appeal A only).

Reasons

Special Interest and Setting

11. Manor Farmhouse is a Grade II listed building that originates from the 17th Century, but with mid-late 18th century, and mid-19th century additions. Moreover, the east wing originates from the 17th Century and was expanded to the south in the late-18th Century. The northeast wing followed in the 19th Century. The southern range became the focus of family rooms, and the other parts of the building were adapted to form service wings. This is still evident today, with these areas distinct in the layout of the building. As in many farmhouses, the attic spaces likely provided accommodation for servants.
12. The Farmhouse is constructed of rubble ironstone, beneath a stone slate roof, and the architecture of its principal south façade is generally polite and symmetrically balanced with chimneys to either gable end, three gabled dormer windows serving its attic, and two tripartite casement windows to the first floor over projecting canted bay windows either side of a central door. This main range and its rear wings also incorporate other historic timber sash and casement windows. The rear wings are also constructed of stone with stone slates and the Farmhouse contains many surviving internal features.
13. As far as it is relevant to the appeals before me, the special interest of the listed building is to be found in its architectural and historic interest as a fine example of a Cotswold farmhouse with 17th, 18th and mid-19th Century origins. Moreover, the various phases of its development demonstrate how the building has evolved to meet the needs and aspirations of its occupants, including to the household structure, but it stands out as a farmhouse.
14. Given the age of the buildings in the farmyard to its east and south and their physical and functional relationship with the Farmhouse, they constitute curtilage listed buildings. The stone barn to the east of the Farmhouse was of

late-18th Century origin. While little of it remains following its demolition, the approved scheme for the site includes for its rebuilding. What remains adjoins the former Granary building, which is of 19th Century origin, with its later southern brick façade keyed into the remaining stonework. The steps to the Granary are also important in connection with the Farmhouse, as they were often close to ensure high value produce within could be overseen. The barns to the southern side of the farmyard vary in age from the 18th to 20th Centuries and are partly enclosed by some later profile metal sheet buildings.

15. Despite now being roofed by a variety of corrugated metals, the simple architectural form and appearance of these buildings is typical of the local vernacular for historic agricultural buildings and their use of local stone helps to illustrate traditional construction techniques. The layout of the buildings also provides evidence of a regular courtyard farmstead characteristic of a medium size holding in the Cotswolds. The relationship together around the historic farmyard and their survival as a group adds further value, including as evidence of the changes in the prosperity and farming practices between the 17th and 19th Centuries, which contribute to the special interest and setting of the Farmhouse.
16. The Farmhouse also draws special interest from other aspects of its setting, including its outlook to and relationship with its enclosed garden and the expanse and open nature of the large yard between the farm buildings east and south. The Farmhouse is also clearly distinguishable from the farm buildings and yard as it is principally separated from it. The Council has also identified the functional role that is played by the small yard area between the Farmhouse and Granary as being locally distinctive to farms in Cherwell, which is designed to provide a buffer between the uses.

The Proposal

17. The appeal scheme is made up of several distinct components relating to various buildings within the site and the spaces between them to enable all the buildings to be used as one single residential dwelling.

Farmhouse

18. The approved scheme already includes for extensive works to the roof and chimneys of the building, for repointing, dormers shown with half-hips, removal of rainwater goods and existing bay windows would be repaired or replaced and lead rolled tops added. The porch between the building and the former granary to its east would also be demolished.
19. The appeal proposal includes a single-storey extension between the house and Granary, which would be glazed behind timber posts and provide a link between the buildings. As a result of the glazed link, the window to the utility would be internalised. There would also be a two-storey gabled extension between the northern wings, which would replace an existing lean-to.
20. To the roof, the dormer windows would be replaced with gabled dormers; the chimneys would be relined, and hearths refurbished, except in the library where it would be removed.
21. The proposal would also be for an extensive list of other internal and external works: the front and back doors and UPVC windows would all be replaced; the wall in the hallway would be repaired where modern additions are removed;

a new opening would be formed between the snug and drawing room in a former window opening; the stairs would be reconfigured across the doorway from the hall into the library; the projection north would be partially subdivided to provide a WC; in the utility, the shower would be removed and a boiler fitted along with new cupboards to north and west walls; the existing cupboard in the boot room would be removed and replaced by a new one.

22. There would also be internal and external works to the first and second floors, including: the removal of a fireplace in the master bedroom; inclusion of partitions for bathrooms; replacement of a ceiling beam that has collapsed; inclusion of a laundry to the roof space above the utility; repair of the gable wall in the Bedroom 4 of the northeast range; and the inclusion of two bedrooms with en suite bathrooms in the principal roof space of the house.

Stone Barn and Former Granary (East of the Farmhouse)

23. The approved scheme includes a new slate roof, enlargement of openings and lintels. The barn would be rebuilt and include glazing to openings and a further door to the southeast. The large openings would include fixed panes to sides, but set back into the opening and barn doors would be added to either side which could be pinned back. The building would be used as kitchen and pantry and link through to a dining space in the former Granary, via a new opening.
24. The openings to south of the Granary would be reconfigured and glazing added as the stone barn, these would be larger for doors. The existing buildings that abut the north side would be removed and replaced by a new extension that joins to the linked extension to the Farmhouse. A valley would be created against wall of the Granary and rooflights would be added to this slope and an opening between. The external steps would be handed.

Southern Range of Outbuildings

25. The existing metal structures would be removed and the remaining buildings used for a gym, games room and cinema with a lobby space. There would be glazing and doors to the existing openings but the opening to the northwest would be enlarged; a door would be added to the southern side on the single storey range, which would be open fronted with glazed screens. Blockwork at the eaves would be replaced with stonework and the roof with slate.
26. The wall between the stone barn and outbuildings would be rebuilt and a new range added to the northeast side of the buildings. This would be mostly open fronted, like that opposite, but a small recess to one bay would incorporate a WC and entrance lobby to the cinema. There would be a small flue to the field side for a wood burner.

External Spaces

27. The green spaces to the north of the Farmhouse would be formalised, adjacent to realigned driveway into the north courtyard. A pond and grass would be added in the southern courtyard between the buildings.

Effect of the Proposal

Space Around the Farmhouse and the Link Extension

28. It would be disingenuous to suggest the relationship of farm buildings and a farmhouse is not important when the breadth of evidence argues otherwise,

but the proposed link would not compromise the legibility of the individual roles of Farmhouse and former Granary, or their grouping and relationship with the space around them. It would be a sensitive and discreet response to the overall aim to achieve a connection between the buildings and would limit alteration of the plan form of each of the buildings. Moreover, the presence of lean-to structures already added to the Farmhouse and other buildings provides evidence of their traditional use to enlarging accommodation to meet changing needs, with simple functionality and subservient scale.

29. The problem of ensuring spaces within a home are connected is evident with the existing accommodation in the Farmhouse, as the existing kitchen is separated from the remainder of the house. A link between the accommodation in the Farmhouse and other buildings is therefore a sensible proposition and a key contributor to unlocking the use of those buildings, while also maintaining connection to the former kitchen.
30. New openings would be formed from the link into the former Granary and then from this into the barn east, which I also find to be sensible choices to enable practical and holistic use of the buildings. The former would be discreetly sited to the Granary's northern side, thereby ensuring its gable end remains visible, and it would replace a garage and shed that project further into the yard north of it. The latter would avoid further extension of the link eastward and any additional intrusion to the legibility of the farmyard or elevations of the building. For similar reasons, the openings between the different parts of the southern barns would also be practical.
31. The eastern entrance to the Farmhouse and the southern façade of the northeast wing would continue to be obscured by the link extension, but it would reflect the existing lean-to, with a pitched roof below the eaves, so the roof above would remain visible. It would also be partly glazed to either side, behind timber posts, so would amount to a lighter weight form of construction, smaller in scale than the Farmhouse and former Granary.
32. The proposal would lead to removal of the modern additions to the eastern gables of the building, which partially enclose the yard area between the Farmhouse and Granary and project around halfway across it. The former would also be achieved with the approved scheme, so both schemes would improve visibility of this yard. While the proposed link extension would enclose the yard on its northern side and project partway into it, a considerable extent of it would remain in place. It would also continue to be enclosed to its south, to distinguish it from the former farmyard adjacent and doors from the link extension into the yard would also maintain direct access from the Farmhouse.
33. The existing kitchen in the Farmhouse is also evidently small and clearly not fit for modern living, so would be repurposed as a utility. The proposed dining, kitchen, and pantry, in the buildings east, would amount to the next stage in the evolution of the residential use of the site. Given the accommodation proposed in new and existing buildings, it would be the greatest step, but the scale of the Farmhouse, the nature of the rooms therein, and its position within the site would ensure it remains the principal component of accommodation, as future occupants would begin and end their day there.

Use of Farmhouse Attic Space

34. The proposal would utilise accommodation at second floor, which is served by a staircase and finished with plastered walls and ceilings. I outlined above that it is likely to have been previously occupied for servants and the collars to the principal trusses being set above head height provide evidence of this. While proposed occupation of the attic would introduce bathrooms and other modern accoutrements, there is no substantive evidence before me to demonstrate the second floor could not continue to be used for domestic purposes or that further evidence relating to fire safety or means of escape would be justified, as it may be in circumstances where a new use is proposed.
35. In any event, if other works are required that would not be covered by the proposed conditions relevant to the roof, these could be discussed further with the Council either as repairs or a by a separate application for listed building consent. There would therefore be insufficient evidence to withhold permission or consent on this basis.

Alterations to the Farmyard

36. It is clear from the scheme drawings that the proposed pond would not be elevated, but it is shown to be rectangular, with edgings. While ponds of this nature are not commonplace within the farmyards of Cherwell, it would neither be an unfamiliar concept within such a context nor amount to a permanent alteration to the farmyard. Moreover, it would constitute a further phase in its use. Nevertheless, to soften its formality and provide greater historical linkage to the site, its precise form and shape could be agreed by planning condition, as part of the scheme for landscaping the site.
37. There is also a grassed area already in situ in the yard area, so the proposed area would also not appear out of context in this particular case. It would be implemented with the slope between the buildings at either end of the yard and the steps to either side would be relatively modest and have limited presence in the overall yard area.
38. Alterations to the surfacing of the spaces between buildings can affect the setting of farm buildings but, collectively, the proposed pond and grassed areas would be smaller elements within the yard area. The majority of the farmyard would therefore remain open and hard landscaped and there would be intervisibility between the individual farm buildings across the yard, and an understanding of their historic purpose and relationship. The details of the final surfacing materials, including edgings and the nature of the steps, could also be agreed by the planning condition.
39. I am also mindful that the proposal would reinstate the eastern side of the southern range, and buildings that project into the yard would be removed. This would better reveal the original proportions of the yard and understanding of its contribution to the setting of the buildings in the farmstead. Although it would be used in a different capacity, evidence of its former use would remain.

Flooring and Services

40. The evidence before me indicates that most of the floors within the barns have been altered with concrete but, where original floors remain, the proposal is for these to be retained. With this in mind, it would be possible to use a degree of pragmatism, through the controls available by the conditions agreed between

the main parties, to ensure that floor coverings are approved. In particular, the condition would enable consideration as to whether it would be appropriate to reuse existing coverings or preserve them in situ, as discussed in the evidence before me, and how these would relate to the surrounding fabric and services.

41. Moreover, in terms of services for the Farmhouse, there is no firm evidence before me that it would not be possible to utilise existing ceiling voids and service runs and new or existing partitions to avoid unnecessary loss of fabric. Such matters could also be dealt with by a condition agreed by the main parties for a services installation plan and works specification.

New or Altered Openings

42. The proposal would include glazing of existing door and window openings in the farm buildings and, in the case of the former Granary, some new openings formed. Metal framing would be used throughout. The approved scheme includes the positions and size of openings in many of the buildings, including with some glazing shown to openings.
43. The extent of openings would therefore ensure that the form of the buildings would not be disrupted and the design of the doors and windows would lean toward a semi-industrial character, which would be more respectful to the original use of the buildings. Larger openings would also incorporate outer wooden doors, which could be pinned back externally. The overall approach to openings would therefore be sensitively dealt with and minimise the perceptible effect of the change to residential occupation. New openings in the south façade of the former Granary would be within a later brick façade of the building, of lesser significance, but would add interest to this façade.

Other Works and Alterations

44. I do not refer to all the other works in detail below, including the use of rooms and removal of later subdivisions, as I find them to be suitably justified by the evidence in the wider context of the scheme before me. Most works are also satisfactorily dealt with by the conditions agreed between the main parties.
45. The main parties also agree elements of the scheme that are acceptable, including removal of modern structures throughout the site; demolition of the existing porch and erection of a two-storey replacement, set back from the historic rear wings; demolition of lean-to structures within the northeast courtyard that are in a poor state of repair; and works to repoint the farmhouse, subject to agreement on the mortar mix, and provide new lead roofs to the bay windows. I can find no reason to disagree on these matters, particularly as they would not result in the loss of historic fabric. I therefore discuss other works referred to at the Hearing and in the evidence before me, including those detailed in the agreed conditions.
46. The schedule of works indicates that existing windows will be retained and repaired where possible or replaced on a like-for-like basis. This is a sensible approach to ensure no unnecessary loss of fabric and the condition relating to new windows is sufficiently broad to enable it to catch any such circumstances.
47. At the site visit I observed that the steps to the Granary appear to have previously been handed. The presence of brick in their southern end mirrors that of the south façade of the Granary building, so it is likely to be contemporaneous with that alteration. As they were originally configured south

to face the farmyard, reinstating this arrangement would reduce cramping of the space between the gable ends of both buildings and better reveal interest of the listed building.

48. At the Hearing, the main parties agreed that that a reasonable assessment would put the height of the tie beam in proposed second floor bathroom to be around 1.6m from floor level. It would therefore not be impacted upon by the proposed arrangement of bathroom pieces indicated on the amended plans.
49. The appellant's evidence suggests the current position of the staircase in the Farmhouse is possibly of the early 20th Century and it would be repositioned across the hallway door to the library. This would amount to a relatively modest alteration to the functioning floor plan of the house that would reduce compartmentalisation of the library, as there is a further doorway provided into it from the passage leading to the eastern entrance. In any event, it would be a largely reversible alteration that would also help to improve the hierarchy of the rooms within the building.
50. The opening between the Snug and Drawing Room would be through an existing window opening, so its reinstatement as a route through would be logical. Similarly, the replacement cupboard in the Boot Room would open up that room and remove an item partly obscuring the window therein.
51. The proposed building to the southeast side of the farmyard would reinstate buildings to a position they previously existed, which would help to better reveal the original form of the yard.

Conclusion on the First Main Issue

52. For the above reasons, I conclude that the proposal would preserve the special interest of the Grade II listed building, including through alterations to its setting and the curtilage listed elements. Moreover, the buildings would be conserved in a manner appropriate to their special interest and would continue to be appreciated together in their historic relationship. This would satisfy the requirements of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; and would not conflict with the design and heritage aims of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 (CLP), Policy C28 of the Cherwell Local Plan 1996, Policies HN CC1 and HN CC2 of the Hook Norton Neighbourhood Plan or Government guidance contained within the National Planning Policy Framework (the Framework). It would therefore not be necessary for me to consider the heritage balance or the concept of less than substantial harm referred to in the Framework.

Bats (Appeal A only)

53. The appellant's Ecology Appraisal identified brown and long eared bats in the Farmhouse and a replacement bat loft was to be provided north of the site. However, this was shown to be outside the red line of the site, so could not benefit from planning permission and the final derogation test required for mitigation could not be met, as there would be no certainty the mitigation could be achieved. Notwithstanding this, the approved guest accommodation included a void in its roof for a bat loft. At the Hearing, the Council set out that it considered the derogation tests have therefore been met. Moreover, there is a high degree of certainty that the proposed mitigation, which would be controlled by license, would be implemented.

54. For this reason, I conclude that suitable mitigation would be in place to serve the appeal scheme to ensure that the proposal would not have a harmful effect on bats known to roost within the buildings within the site. Hence, it would accord with CLP Policy ESD10 and paragraph 180 of the Framework.

Other Matters

55. The Council's Officer Report explains that the appeal site has been identified as potentially contaminated and is likely to contain naturally elevated levels of arsenic. In such circumstances, it would be necessary for conditions to be imposed regarding such matters. These are not listed in the conditions agreed by the main parties, so I sought further agreement from the appellant to such conditions and I have amended them to provide clarity of timing requirements for the submission of details.
56. For the reasons I have identified in the first main issue, the proposal would not have a harmful effect on the character or appearance of the countryside surrounding the appeal site, which would be visible from the nearby public right of way. I also note that the Council did not raise such concerns.

Conditions

57. In addition to the standard time limits for both appeals, in the interests of clarity I have specified the approved plans in Appeal A. This is unnecessary in the listed building consent appeal, as the decision incorporates the plans.
58. In the interests of preserving the contribution made to the special interest and setting of the listed and curtilage listed buildings, conditions are necessary on both appeals for the specifications and samples of materials and further details of works, including roof coverings; sample panels of the stone/brickwork for all walls; and full details of new doors, windows, glazed screens, works to the roof and dormer windows. Full details are also necessary for demolition and rebuilding works and a method statement for making good of walls where buildings are to be removed and where walls are to be reconstructed. Further details are also necessary for the measured survey of existing chimneys for their replacements and of eaves, verges, and rainwater goods. Repointing should also be undertaken in accordance with a method statement already agreed on the approved scheme.
59. For Appeal A only, in the interests of human health and the protection of trees, conditions for the assessment and mitigation of contaminated land and adherence to the appellant's Tree Protection Plan and Arboricultural Method Statement are necessary as part of the development of the site. In addition, for reasons outlined above, I have included a condition regarding hard and soft landscaping.
60. There are also further internal details that are necessary to agree through Appeal B only. These are a method statement and details of the fixing and plumbing/wire runs and the location of new radiators or underfloor heating; a schedule of works and method statement detailing the extent of these works to floors, ceilings, staircases, or walls in the main house and similar for barns; a schedule and full details of existing internal doors and any proposed replacements; further details are also required for works to fireplaces and hearths and the bay windows.

61. The number of conditions listed, and their nature and extent are justified in this instance due to the high quality of the scheme and the evidence before me.

Conclusion

62. For the reasons given above, I conclude that both of the appeals should be allowed.

Paul Thompson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Richard Kimblin KC	Counsel
Sioned Davies	Counsel
Neil Warner	JPPC Chartered Town Planners
Nicholas Worlledge	Historic Building Conservation Advisor

FOR THE LOCAL PLANNING AUTHORITY:

James Kirkham	Planner
Jenny Ballinger	Conservation Officer

DOCUMENTS RECEIVED FOLLOWING THE CLOSE OF THE HEARING:

- Amended Drawings referred to in Procedural Matters above.
- Method Statement, approved under 21/03386/F.
- Final set of Revised Conditions.

SCHEDULES OF CONDITIONS

Appeal A: APP/C3105/W/21/3276350

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this decision.
2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and drawings numbered: 19104 PE1010 Revision I, 19104 PE1011 Revision G, 19104 PE1012 Revision A, 19104 PE1015 Revision E, 19104 PE1016 Revision C, 19104 PP1010 Revision F, 19104 PP1011 Revision F, 19104 PP1030 Revision E, 19104 PP1031 Revision F, 19104 PP1032 Revision F, 19104 PP1033 Revision F, 19104 PP1034 Revision F, 19104 PP1035 Revision F, and 19104 PS1011 Revision A.

3. Prior to any demolition, full details of the extent of existing parts of the buildings to be partially demolished and rebuilt shall be submitted and approved in writing by the local planning authority. These details shall broadly accord with the recommendations of the OMK Design – Structural Inspection Report (dated 14th August 2020). The development shall thereafter be carried out in accordance with the approved details.
4. Prior to any demolition hereby approved, a method statement for making good the walls in the areas where existing buildings/extensions (such as the porch) are to be removed shall be submitted and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.
5. Prior to the commencement of the construction of any new extensions or buildings shown on the approved plans or works to floors within the agricultural buildings to be converted to ancillary residential use, a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model, shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the local planning authority. No part of those construction works shall take place until the local planning authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
6. If a potential risk from contamination is identified as a result of the work carried out under condition 5, prior to any groundworks for the construction of any new extensions or buildings shown on the approved plans or works to floors within the agricultural buildings to be converted to ancillary residential use commencing, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No part of those construction works shall take place unless the local planning authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
7. If contamination is found by undertaking the work carried out under condition 6, prior to any groundworks for the construction of any new extensions or buildings shown on the approved plans or works to floors within the agricultural buildings to be converted to ancillary residential use commencing, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No part of those construction works shall take place until the local planning authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

8. If remedial works have been identified in condition 6, none of the affected buildings shall be brought into use until the remedial works have been carried out in accordance with the scheme approved under condition 7 and a verification report that demonstrates the effectiveness of the remediation carried out has been submitted to and approved in writing by the local planning authority.
9. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
10. Following the removal of the existing roof covering to any building, and prior to the removal of any roof timbers or any other alteration to the roof structure to each building, a detailed design of the proposed works to the roof, including the extent of alteration/repairs of existing roof timbers, replacement and new timbers and insulation shall be submitted and approved in writing by the local planning authority. This shall be accompanied by a structural report demonstrating the extent of works necessary and shall include details of the proposed roof covering. The development shall not be carried out other than in accordance with the approved details.
11. Notwithstanding the details on the approved plans and following the removal of the existing roof covering on the main house, and prior to any further works to the existing dormer windows structures, full details of any works to the dormer windows structures shall be submitted and approved in writing by the local planning authority. This shall either include the details of repairs to the existing dormer structures or the replacement of the dormer structures if repair is demonstrated not to be feasible. The development shall not be carried out other than in accordance with the approved details.
12. Prior to the installation of any new roof covering, samples of the proposed roof covering and clarification of which building it will be situated on shall be submitted and approved in writing to the local planning authority. The development shall not be carried out other than in accordance with the approved details.
13. Notwithstanding the details submitted, and where the proposals involve the construction of a replacement part of a wall on an existing building, prior to any works to the rebuilding of walls a method statement for the reconstruction of the walls, shall be submitted and approved in writing by the local planning authority. This shall detail how the stone/brick will be sourced (or reused), how it will be coursed/laid to match the existing building, how it will be finished, and details of any structural works to the existing walls to accommodate the works. The development shall not be carried out other than in accordance with the approved details.
14. Notwithstanding the details submitted, and where the proposals involve the construction of a replacement part of a wall on one of the existing barns, prior to any works to the walls of that building, a sample panel of the stone/brickwork shall be constructed on top of the existing walls (or adjacent too) to demonstrate how the new walls will be laid, coursed and pointed to

match the existing/replaced walls. The details shall subsequently be approved in writing by the local planning authority and the development shall not be carried out other than in accordance with the approved details.

15. Prior to the removal of any chimney, a measured survey of the existing stone chimney, to act as a template for the new chimneys shall be submitted and approved in writing by the local planning authority. The new chimneys shall thereafter be constructed in accordance with the details of the approved measured survey.
16. Prior to works commencing on any extension/new building or boundary wall hereby approved which includes stone walls, stone sample panels shall be constructed on site for each element and approved in writing by the local planning authority. The sample panel shall demonstrate the type of stone to be used, how it will be coursed, details of the mortar mix/type, details of how the wall will be pointed and details of how any abutment to existing walls or structures shall be undertaken. The details shall also include any decorative features which are proposed such as quoins or capping. Thereafter the extensions and boundary walls shall be constructed in strict accordance with the approved sample panel and details.
17. Notwithstanding the details on the approved plans, prior to the installation of any new external doors or windows or glazed screens, full details of the new doors/windows/glazed screen (including ironmongery/glazing bars, recess from the stone face, cill and heads) shall be submitted and approved in writing by the local planning authority. The details shall include a schedule of all the openings in the existing buildings clearly indicating the existing and proposed details. The development shall thereafter be carried out other than in accordance with the approved details.
18. Prior to any works to the construction of a new roof on any building or the insertion of any rainwater goods, full details of the eaves, verge and rainwater goods of the building shall be submitted and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.
19. Prior to any works to the bay windows on the front elevation of the main farmhouse, a method statement detailing the extent and method of works and the detailed design of the bay windows (both external and internal) shall be submitted and approved in writing. The statement shall include photographs of the existing bay window (internal and external). The development shall not be carried out other than in accordance with the approved details.
20. Notwithstanding the details shown on the approved plan, prior to the first use of the converted farm buildings for residential use, a scheme for landscaping the site shall be provided to and approved in writing by the local planning authority which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

- (b) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps,
- (c) full details of the enclosures along all boundaries' and
- (d) details of the pond.

Such details shall be provided prior to any hard or soft landscaping taking place. The development shall not be carried out other than in accordance with the approved details. The hard landscape elements of the scheme shall be carried out prior to the first occupation of the development and shall be retained as such thereafter.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 21. Where an offence under Regulation 41 of the Habitat and Species Regulations 2010 is likely to occur in respect of the development hereby approved, no works of site clearance, demolition or construction shall take place which are likely to impact on bats until a licence to affect such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been submitted to the local planning authority.
- 22. The development hereby permitted shall only be undertaken in accordance with the Arboricultural Method Statement and Tree Protection Plan contained within the document entitled Tree Survey Report, Impact Appraisal and Arboricultural Method Statement (August 2020).
- 23. The re-pointing works shall be carried out in strict accordance with the submitted Method Statement, approved under 21/03386/F, and provided to the Planning Inspectorate as part of the appeal.

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- 1. The works to which this consent relates shall be begun not later than the expiration of three years beginning with the date of this consent.
- 2. Prior to any demolition, full details of the extent of existing parts of the buildings to be partially demolished and rebuilt shall be submitted and approved in writing by the local planning authority. These details shall broadly accord with the recommendations of the OMK Design – Structural Inspection Report (dated 14th August 2020). The works shall thereafter be carried out in accordance with the approved details.
- 3. Prior to any demolition hereby approved, a method statement for making good the walls in the areas where existing buildings/extensions (such as the porch) are to be removed shall be submitted and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details.

4. Following the removal of the existing roof covering to any building, and prior to the removal of any roof timbers or any other alteration to the roof structure to each building, a detailed design of the proposed works to the roof, including the extent of alteration/repairs of existing roof timbers, replacement and new timbers and insulation shall be submitted and approved in writing by the local planning authority. This shall be accompanied by a structural report demonstrating the extent of works necessary and shall include details of the proposed roof covering. The works shall not be carried out other than in accordance with the approved details.
5. Notwithstanding the details on the approved plans and following the removal of the existing roof covering on the main house, and prior to any further works to the existing dormer windows structures, full details of any works to the dormer windows structures shall be submitted and approved in writing by the local planning authority. This shall either include the details of repairs to the existing dormer structures or the replacement of the dormer structures if repair is demonstrated not to be feasible. The works shall not be carried out other than in accordance with the approved details.
6. Prior to the installation of any new roof covering, samples of the proposed roof covering and clarification of which building it will be situated on shall be submitted and approved in writing to the local planning authority. The works shall not be carried out other than in accordance with the approved details.
7. Prior to the removal of any chimney, a measured survey of the existing stone chimney, to act as a template for the new chimneys shall be submitted and approved in writing by the local planning authority. The new chimneys shall thereafter be carried out in accordance with the details of the approved measured survey.
8. Notwithstanding the details submitted, and where the proposals involve the construction of a replacement part of a wall on an existing building, prior to any works to the rebuilding of walls a method statement for the reconstruction of the walls, shall be submitted and approved in writing by the local planning authority. This shall detail how the stone/brick will be sourced (or reused), how it will be coursed/laid to match the existing building, how it will be finished, and details of any structural works to the existing walls to accommodate the works. The works shall not be carried out other than in accordance with the approved details.
9. Notwithstanding the details submitted, and where the proposals involve the construction of a replacement part of a wall on one of the existing barns, prior to any works to the walls of that building, a sample panel of the stone/brickwork shall be constructed on top of the existing walls (or adjacent too) to demonstrate how the new walls will be laid, coursed and pointed to match the existing/replaced walls. The details shall subsequently be approved in writing by the local planning authority and the works shall not be carried out other than in accordance with the approved details.
10. Prior to works commencing on any extension/new building or boundary wall hereby approved which includes stone walls, stone sample panels shall be constructed on site for each element and approved in writing by the local planning authority. The sample panel shall demonstrate the type of stone to be used, how it will be coursed, details of the mortar mix/type, details of how the wall will be pointed and details of how any abutment to existing

walls or structures shall be undertaken. The details shall also include details of any decorative features which are proposed such as quoins or capping. Thereafter the extensions and boundary walls shall be constructed in strict accordance with the approved sample panel and details.

11. Prior to any works to or removal of any existing lintels, a schedule identifying which lintels are to be replaced/repared and the details of the repairs/replacement lintels shall be submitted and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details.
12. Notwithstanding the details on the approved plans, prior to the installation of any new external doors or windows or glazed screens, full details of the new, doors/windows/glazed screen (including ironmongery/glazing bars, recess from the stone face, cill and heads) shall be submitted and approved in writing by the local planning authority. The details shall include a schedule of all the openings in the existing buildings clearly indicating the existing and proposed details. The works shall not be carried out other than in accordance with the approved details.
13. Prior to the installation of any new plumbing or electrics, a method statement and details of the fixing and plumbing/wire runs and the location of new radiators (any underfloor heating), and how this will be installed to minimise the impact on the historic fabric of the building shall be submitted and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details.
14. Prior to the removal of any historic internal doors from the site, a schedule and full details of existing internal doors and the proposed internal doors within the buildings, at an appropriate scale including a cross section, shall be submitted to and approved in writing by the local planning authority. The doors shall not be installed within the building other than in accordance with the approved details.
15. Prior to any works to the floors, ceilings, staircases or walls in the main house, a schedule of works and method statement detailing the extent of these works and how the development will minimise the impact and loss of historic fabric, shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.
16. Prior to any internal works to the walls or floors of the barns hereby permitted to be used as accommodation, a full schedule of works and details of the construction of new floors and treatment of internal walls (such as the extent of any insulation or dry lining) shall be submitted and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.
17. Prior to any works to the fireplaces or hearths within the main house full details of the extent of work proposed to each fireplace shall be submitted and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.
18. Prior to any works to the construction of a new roof on any building or the insertion of any rainwater goods, full details of the eaves, verge and

rainwater goods of the building shall be submitted and approved in writing by the local planning authority. The works shall not be carried out other than in accordance with the approved details.

19. Prior to any works to the bay windows on the front elevation of the building, a method statement detailing the extent and method of works and the detailed design of the bay windows (both external and internal) shall be submitted and approved in writing. The statement shall include photographs of the existing bay window (internal and external). The works shall not be carried out other than in accordance with the approved details.

20. The re-pointing works shall be carried out in strict accordance with the submitted Method Statement, approved under 21/03386/F, and provided to the Planning Inspectorate as part of the appeal.

END OF SCHEDULES