



Appeal Decision

Site visit made on 6 June 2023

by D Moore BSc (HONS), MCD, PGDip, MRTPI, IHBC

an Inspector appointed by the Secretary of State

Decision date: 26 June 2023

Appeal Ref: APP/M0655/Y/22/3310427

Burford Lane Farm, 82 Burford Lane, Lymm, Warrington WA13 0SJ

- 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 Andrew Booth against the decision of Warrington Borough Council.
 - The application Ref 2021/40704, dated 16 December 2021, was refused by notice dated 21 July 2022.
 - The works proposed are "private driveway and gates to provide access to courtyard of dwelling".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As the appeal relates to listed building consent, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposal would preserve the setting of a Grade II listed building, Burford Lane Farmhouse, and the settings of other nearby Grade II listed buildings.

Reasons

4. The proposal is to create a driveway through the front garden to access a courtyard that lies to the south of the main dwelling, Burford Lane Farmhouse. The existing vehicular access from Burford Lane would be retained and the gates would be set further back from the highway to accommodate the turning into the new driveway. A section of brick wall to the southern boundary of the garden would be removed and a new set of double gates would be provided to match those existing. The surface treatment of the driveway would be stone setts with a short stretch of tarmac at the junction with the existing access drive.
5. The building dates from the nineteenth century and is described as one of the earliest identified farmhouses by John Douglas, a notable architect who practised predominantly in the north-west of England. The former farmhouse is constructed from brick and slate, with typical half-timbering and rendered panels to gables. Its significance is derived from the connections with John Douglas and its neo-vernacular architectural style.

6. The buildings which formed the historic farm complex and courtyard; the stable and cartshed (stable) and the barn, granary and shippon (barn), are listed grade II. The buildings are contemporary with the farmhouse and reflect its architectural style and detailing. Their significance is enhanced by their group value and the consequent positive contribution each building makes to their respective settings.
7. The farmhouse is set within spacious landscaped gardens, which extend to the front, side and rear. The garden to the front of the house, which separates it from Burford Lane, is largely enclosed and provides a relatively peaceful space, within which the form and architecture of the listed building can be appreciated. Similarly, the courtyard to the front of the former barn and north of the stables creates a tranquil enclosure. This enables an appreciation of the listed buildings and their former uses and assists in their interpretation as historic farm buildings. I find that the gardens and courtyard contribute positively to the settings of the listed buildings and thus their significance as designated heritage assets.
8. The proposed driveway is relatively short, and I am aware that considerable efforts have been made to amend the scheme in response to the Council's concerns. However, the proposed driveway and the consequent removal of sections of the walls, would erode the sense of enclosure within the front garden and the courtyard. Furthermore, the driveway would introduce vehicles into these relatively tranquil spaces. The combination of the new openings, the laying of the driveway and its subsequent use would impact negatively on the settings of the farmhouse and the barn and would make it more difficult to interpret their former agricultural associations.
9. I agree with one of the findings within the appellant's Heritage Statement (2022) that the setting to the stables would not be affected due to the existing screening and the building's relative distance from the proposed driveway. However, I disagree with the overall conclusions. The statement acknowledges the importance of the internal courtyard to the setting of the farmhouse and barn. Consequently, the conclusion that their settings will be unaffected by the proposal cannot be substantiated. The purpose of the driveway is to provide vehicular access to the courtyard, which will impact on its enclosed nature and thus adversely affect the settings of the adjacent listed buildings. This would result in harm to the significance of the designated heritage assets. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
10. I appreciate that the property has evolved over time. The farmhouse has been extended and the former barn and stables have been converted to accommodate residential uses. In addition, planning permission has been granted for the erection of three dwellings to the south of the complex, which includes alterations to the access¹. I note that a section of existing walling at the front will be removed to create the required visibility splay, and the hedgerow along the front of the garden will be replaced. However, this does not justify the works proposed. Despite the conversions and the most recent planning permission, the listed buildings have retained their form and architectural detailing. Crucially, evidence of their former function as a traditional farm complex remains, which should be preserved.

¹ Ref 2020/38388 dated 4 June 2021.

11. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 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. Given the relatively localised impact, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
12. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial because it will allow a more intensive residential use of the site. However, this is a private benefit and is not sufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the buildings have an ongoing residential use that would not cease in its absence.
13. Given the above and in the absence of any defined substantiated public benefit, I conclude that, on balance, the proposal would fail to preserve the setting of the Grade II listed buildings Burford Lane Farmhouse and the Barn, Granary and Shippon. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and development plan policies insofar as relevant.

Conclusion

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

Debbie Moore

Inspector