



Appeal Decision

Site visit made on 25 July 2023

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State.

Decision date: 10th August 2023

Appeal Ref: APP/W1850/D/22/3308929

Park Haven, Rock Road, Newton St. Margarets HR2 0QN

- 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 and Mrs Lewis against the decision of Herefordshire Council.
 - The application Ref 220254, dated 31 January 2022, was refused by notice dated 22 August 2022.
 - The development proposed is described as first floor extension on the west facing elevation to accommodate 1 bedroom and raised decking area.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether the proposal would preserve the setting of the listed building known as 'Park Farmhouse' (Grade II), and the character and appearance of the existing building and the greater locality;

Reasons

3. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (PLBCA) prescribes a duty upon a decision maker to give special regard to the desirability of preserving the significance of a listed building or its setting.
4. In relation to local planning policy, the Herefordshire Core Strategy (CS) Policies LD1, SD1 and SS6 are design related policies which seek to ensure development maintains local distinctiveness, incorporates architectural detailing and materials, ensure distinctive features of setting are safeguarded, reflect the character of the landscape, the historic environment and heritage assets, amongst others. CS Policy LD4 is specifically related to heritage assets and seeks that development protect, conserve and enhance heritage assets and their setting, amongst others. The appeal site is also part of the designated Vowchurch and District Neighbourhood Plan (NP), where Policy 1 seeks to protect and enhance the local environment which in particular should consider design, scale and listed buildings.
5. The appeal site was formerly part of the larger collection of farm buildings as part of the steading of Park Farmhouse, which lies to the immediate east of the appeal site. The appeal building is constructed of stone with a dual pitched gabled roof form, which in its conversion to a residential dwelling sought to emulate the functional and simple appearance of the former barn building and its relationship to the farmhouse. The Council Officer report assesses the appeal building as a non-designated heritage asset which still retains some of the elements of the former agricultural barn as well as the historic relationship

with the main farmhouse. Whilst there is some domestication as expected from a barn conversion, I agree that the conversion has been undertaken in a way that preserves its quite functional appearance and relationship to the greater Park Farmhouse. As such, the treatment of the appeal building as a non-designated heritage asset introduces the need to assess the proposal under Paragraph 203 of the National Planning Policy Framework (the Framework).

6. Whilst the adjacent Grade II listing of Park Farmhouse individually will have its own elements of significance and heritage value, the main contention in this appeal is with regards to whether the appeal site contributes to the significance and setting of this listing and the resultant effect (if any) as a result of the proposed development.
7. The farmhouse is believed to date from the sixteenth century, and contains alterations in the seventeenth and eighteenth centuries. The building is of exposed box frame construction, two storeys upon a stone plinth and large central stone and brick chimney stack. The farm building lies within a relatively isolated position amongst the surrounding agricultural fields. As such there is an inherent rural aspect in each direction, where there is an inherent historic relationship where the farmhouse is experienced together within the undeveloped rural context and countryside surrounding. The undeveloped land and functionally designed barn buildings which includes the appeal site contributes to an understanding of the former form and function of the historic agricultural building and how the farmhouse is experienced, reinforcing its rural location, identity and setting. These are some of the important elements that make up the setting of this listed building and this setting is integral to the building's significance. As such I disagree with the appellant's Statement of Case (SoC) that there is a 'very limited setting relationship.'
8. The appeal site is experienced as part of the greater collection of farm buildings and is deliberately of a functional scale and design which reflects its historic agricultural operation and purpose which contributes to this significance and historic relationship as outlined previously. The proposed extension would extend the west façade with the development of a first floor extension upon stilts, with a balcony and lower apex roof with timber construction of the walls.
9. Whilst I appreciate explanation as to the different design options employed, the amendments and reasoning for the proposal; given the functional design, and vernacular of materials used, the proposed development presents an awkward juxtaposition to the existing building. The proposed stilts and balcony are unlike anything in the surrounding area and overcomplicate the design of the existing building, departing from its deliberate functional and agricultural appearance. The proposed extension which is much more typical for an urban residential environment and would create a distraction from the rural feeling and agricultural experience in this location. The proposal bears little relationship to the existing building, layout, authenticity, character and local distinctiveness of the area and would be a discordant form that would erode the agricultural experience and relationship of the surrounding listed building which is an important component to its setting. The extension would be architecturally and historically inauthentic and be detrimental to the existing building as well as to the character and appearance of the locality.

10. I note reference within the appellant's SoC with regards to a planning application¹ for an extension to a dwelling that was approved and was also within the setting of a Grade I listed building. Each listing will have different levels of significance whereby setting will also contribute differently. It is clear that in this case the setting held a different contribution of significance as to this example appeal site. As such, the setting of a heritage asset is not the same as is currently for this appeal site. Whilst development may have been approved within the setting of a heritage asset, this does not give justification that it is appropriate to develop in all occasions within the setting of this particular heritage asset. As such, this approval is not relevant to the specific aspects of this appeal.
11. Taking the above into account, the proposal would fail to preserve the setting of the Grade II listed Park Farmhouse, and would be contrary to CS Policies SD1, LD1, SS6 and LD4, and NP Policy 1 as described previously.
12. I note that the reason for refusal cites CS Policy RA5 which relates to considerations around the reuse of rural buildings. The building has already been granted to change its use, rendering this policy not relevant to the matter which does not appear to involve later extensions after the change of use has commenced.
13. The proposal would also fail to preserve the setting of the listed building as required by S66 in accordance with the expectations of the PLCBA and the Framework at Paragraph 199 where great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance.
14. As such I disagree with the appellant's Heritage Statement that there would be 'negligible' impact towards the significance of the listed building. Although serious, the harm to the heritage asset in this case would be 'less than substantial,' within the meaning of the term in paragraph 202 of the Framework. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 requires that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal. I have also applied Paragraph 203 of the Framework which seeks to consider harm to non-designated heritage assets.
15. The public benefits of the scheme are not outlined within the appellant's SoC, however would result in short term employment opportunities in the construction of the extension, and improve the living space for the existing occupiers. These benefits would also be present in a scheme which was more in accordance with the development plan. Overall, and in conclusion of this matter, the public benefits arising from the proposed development would not outweigh the harm I have identified and to which I accord considerable importance and weight. The scheme therefore conflicts with the Framework, as per paragraph 199, as described previously. The proposal would not therefore be made in accordance with the development plan.

¹ Council Planning Ref: P184429/V

Conclusion

16. For the reasons given above, I conclude that the appeal be dismissed.

J Somers

INSPECTOR