



Appeal Decisions

Site visit made on 28 June 2023

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2023

Appeal A: APP/H0520/W/22/3303665

Model Farm, Buckden Road, Grafham PE28 0BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Jenny Bullen against Huntingdonshire District Council.
 - The application Ref 21/01576/FUL, is dated 7 July 2021.
 - The development proposed is Removal of Existing Outbuilding, construction of new Garage and Biomass boiler room with storage. Creation of new vehicle parking area and extension of storage shed for Cycle parking. Creation of new outbuilding office and leisure building.
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Appeal B: APP/H0520/Y/22/3303661

Model Farm, Buckden Road, Grafham PE28 0BH

- 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 Jenny Bullen against Huntingdonshire District Council.
 - The application Ref 21/01577/LBC is dated 7 July 2021.
 - The works proposed are Removal of Existing Outbuilding, construction of new Garage and Biomass boiler room with storage. Creation of new vehicle parking area and extension of storage shed for Cycle parking. Creation of new outbuilding office and leisure building.
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Decision

Appeal A

1. The appeal is dismissed and planning permission is refused for Removal of Existing Outbuilding, construction of new Garage and Biomass boiler room with storage. Creation of new vehicle parking area and extension of storage shed for Cycle parking. Creation of new outbuilding office and leisure building.

Appeal B

2. No action, for the reasons set out below.

Procedural Matters

3. The appeals are against the Council's failure to determine applications for planning permission and listed building consent. The Council's Statement of Case outlines the reasons that it considers the proposal would be unacceptable in respect of Appeal A, but this is not a formal determination of the Council as the jurisdiction to determine the application transferred from the Council upon valid receipt of the appeal. Nevertheless, the Council has set out that it would have refused the application had it been empowered to do so. I have therefore taken its reasons into account in determining the main issues.

4. In terms of Appeal B, I have determined that listed building consent is not required for the proposal, and I set out my reasoning below.
5. The Council has confirmed that the Grafham and Ellington Neighbourhood Plan 2020-2036 (NP) was Made on 23 February 2022. Appeal decisions must be based on development plan policies prevailing at the time of determination. The appellant is aware of the NP policies, as the Council's Statement referred to them, and she had opportunity to comment on their relevance to the appeal at the Final Comments stage.

Main Issues

6. The main issue for Appeal A is whether the proposal would preserve the setting of the Grade II listed buildings, known as 'Model Farmhouse' and 'Barn North of Model Farmhouse', and its effect on the character and appearance of its surroundings. The main issue for Appeal B relates to no further action being taken with that appeal.

Reasons

Special Interest, Setting and Significance (Appeal A only)

7. The appeal relates to land around Model Farmhouse, a double-fronted two storey Grade II listed¹ former farmhouse. It likely originates from 1834 when it was built for the Manchester Estate, and it has evidently experienced various phases of alteration and extension thereafter. It is constructed of gault brick, but painted, and its southeast façade incorporates sash windows and a doorway flanked by pilasters.
8. The name of this listed building is indicative of its former purpose, to be an exemplar of contemporary farming methods of the time. It has since been separated from the remainder of the farm and exists as a dwellinghouse within a large curtilage. However, the other listed building to its north remains as another reminder of the original intent of the farm holding.
9. In so far as it relates to the appeal before me, the special interest of Model Farmhouse lies in its architectural and historic interest as a 19th Century former farmhouse, particularly its association with the Manchester Estate and its role within a model farm are important for agricultural heritage reasons.
10. The Barn North of Model Farmhouse is also Grade II listed² and was likely built along with the Farmhouse. It is constructed of gault brick and formed of five south-facing gables, each with a round headed openings, except for the central gable which is part closed with brickwork. As far as it is relevant to this appeal, the special interest of this listed building is also to be found in its architectural and historic interest as a 19th Century barn associated with the model farm. Hence, it too is integral to understanding agricultural heritage.
11. The listed buildings also draw significance from their setting, which is defined in the National Planning Policy Framework (the Framework) as the surroundings in which a heritage asset is experienced.
12. The Farmhouse's southeast façade was likely designed to be of greater importance and to look over its garden and the countryside beyond. The open

¹ List Entry Number: 1288614.

² List Entry Number: 1214370.

and undeveloped nature of the space within the garden in front of it therefore provides a rural context which forms an integral part of the historic setting of the Farmhouse and, thereby, an important facet of its understanding and significance as a heritage asset. The existing summerhouse is a modest building positioned forward of the Farmhouse, albeit to the edge of the garden, so the Farmhouse dominates its garden, most of which can be experienced from within its immediate surroundings.

13. The land within the curtilage of the Farmhouse also forms part of the setting of the Barn, particularly the partly open area west of the Farmhouse, as this enables views from the curtilage of the Barn into the garden of the Farmhouse.

Effect to Setting of Model Farmhouse (Appeal A only)

14. The proposed home office and leisure building would be of a simple design and appearance, with predominantly solid façades directed toward the Farmhouse finished in timber cladding and a green roof. Its vertically proportioned windows would predominantly face southeast and southwest. The design and modest height of the building would, of themselves, not be harmful, but it would be a relatively large building in floorplan terms when compared to the Farmhouse and sited forward of it in the garden. Hence, it would interrupt views out from the Farmhouse to a large part of the garden and be harmful to the open and largely undeveloped nature of this space.
15. The visuals and elevations for the proposed garage, boiler room and store indicate it would be a tall building, of two storeys, and therefore comparable in height with the Farmhouse. The materials of construction would be recessive due to their dark colour and of similar appearance to nearby agricultural buildings. However, together with its height, the utilitarian appearance of this aspect of the proposal would stand out from and appear as a discordant feature close to the Farmhouse, and harmfully contrast with its domestic character and appearance. Moreover, although such agricultural buildings are commonplace in the countryside, those nearby are significantly larger in size and clearly relate to the requirements of an active farmyard and are unrelated to the domestic nature of the curtilage of the former farmhouse.
16. The historic mapping indicates there were once outbuildings southwest of the Farmhouse, but their design, scale, and purpose is unclear. The footprint of the building in situ on the 1887 and 1902 maps also appears smaller than the proposed garage building. Furthermore, while that building is not present on the 1927 and 1952 maps, the building in place is situated only slightly further forward of the Farmhouse and parallel with it. As such, while the appellant seeks to reinstate a courtyard arrangement, the mapping demonstrates that buildings previously in situ were unlikely to have had the same imposing effect of the proposed buildings.
17. Although the proposed cycle store and shed is shown on the key and site plans, there are no elevations or floorplans of it, but the appellant indicates it would be an extension of the rear of the existing shed. Accordingly, I am satisfied that it is not likely to have a harmful effect on the setting of the listed building or the character and appearance of its surroundings.
18. I note the Council has granted permission to extend the Barn but the proposal is for separate outbuildings, for this reason, it is not comparable with the appeal scheme before me.

Effect to Setting of the Barn North of Model Farmhouse (Appeal A only)

19. The proposed buildings and hard surfacing would likely be visible from the curtilage of the Barn, but the latter would equate to modest alterations to the land between the two buildings. Despite views of the Farmhouse's garden likely being partially obscured by the proposed buildings, they would be sufficiently distant that their scale and appearance would not compete with or distract from the Barn or harm its historic relationship with the Farmhouse and it would continue to dominate its curtilage. Accordingly, the proposals would not have a harmful effect on the setting of the Barn, which would be preserved.

Character and Appearance (Appeal A only)

20. The site is enclosed, for the most part, by mature planting and visibility into it is limited to gaps found in that planting, namely that serving the access south of the Farmhouse. While I have reached different conclusions regarding effects to the settings of the listed buildings, like my finding regarding the effect to the Barn, the proposals would be unlikely to have a harmful effect on the character and appearance of the site's surroundings. Moreover, there would be very limited visibility of the buildings beyond the site and they would be sufficiently distant that they would not be prominent in available views.

Public Benefits (Appeal A only)

21. The statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) is a matter of considerable importance and weight, as are the aims of Framework paragraphs 197, 199 and 200.
22. The proposed garage, boiler room and store and office and leisure buildings would be harmful to the setting of Model Farmhouse and, therefore, harm its significance as a designated heritage asset. This harm equates to less than substantial harm to this designated heritage asset. Accordingly, paragraph 202 of the Framework and Policy LP34 of Huntingdonshire's Local Plan to 2036³ identifies this harm should be weighed against the public benefits of proposals, including securing its optimum viable use.
23. There would be improvements to the Farmhouse in terms of energy efficiency due to the provision of the proposed biomass boiler and solar photovoltaic arrays, and there is also scope for batteries to be stored. The proposed offices for homeworking would also be likely to be more energy efficient. This would reduce the need for heating and lighting of the Farmhouse and commuting to some places of work.
24. The above benefits would largely amount to private benefits for the appellant, but there would be some environmental benefits to the public in terms of the minimisation of energy consumption in accordance with NP Policy GENP7. However, given the scale of the proposal, they only attract moderate weight.
25. The proposed office and leisure building could potentially feature a natural living roof but, given its extent, this would only amount to an environmental benefit of limited weight.
26. The relocation of the access and parking away from the front of the Farmhouse would bring the garden closer to the house and better reveal its significance by

³ Adopted May 2019.

accentuating the importance of the building's façade overlooking it. Although this would amount to a heritage benefit, these alterations could be undertaken without the proposed buildings, so I only afford them limited weight.

27. The proposed garage building and extended shed would meet an unmet need for secure external storage of essential maintenance and leisure equipment and garaging of cars for occupants of the Farmhouse. While these would primarily be private benefits for the appellant, they may reduce the potential for crime and, therefore, amount to social benefits of limited weight.
28. Despite the weight I have afforded to these benefits, the use of the property as a dwellinghouse, its optimum viable use, is unlikely to cease in the absence of permission for appeal scheme.
29. Taking the above together, the stated public benefits would not justify allowing a development that would fail to preserve the setting of Model Farmhouse. In accordance with paragraphs 199 and 202 of the Framework, considered together, I am therefore not persuaded there would be wider public benefits of sufficient magnitude to outweigh the great weight to the asset's conservation and considerable importance and weight to the less than substantial harm identified to the significance of the asset.

Conclusion on the First Main Issue (Appeal A only)

30. I have not found harm in relation to all aspects of the proposal to the character and appearance of the area and the setting of the Barn; or regarding the effect of the proposed shed extension to the setting of the Model Farmhouse. I also note the absence of objections from Grafham Parish Council and an immediate neighbour. Nevertheless, the proposed garage, boiler room and store building, and the office and leisure building would both be harmful to the setting of Model Farmhouse. Hence, those aspects of the proposal would conflict with the Act; and the design and heritage aims of LP Policies LP2, LP11, LP12, and LP34; NP Policy GENP2; and paragraphs 197, 199 and 200 of the Framework.

No Action (Appeal B only)

31. Section 1(5) of the Act sets out that 'listed building' means a building included in a list compiled or approved by the Secretary of State and notes that any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948, shall be treated as part of the listed building.
32. The proposed new buildings and addition of some hard surfacing do not include any alterations to Model Farmhouse. The evidence before me demonstrates that the summerhouse is a modern building and it does not appear within the curtilage of this listed building on any of the historic mapping prior to 1948. I therefore conclude that listed building consent is not required for what is proposed, including demolition of the summerhouse, as it and area within which groundworks would be undertaken cannot be considered to be part of the listed building. Accordingly, the correct course is for me to take no action on the basis that listed building consent is not required.

Other Matters

33. I acknowledge the concerns with the Council's handling of the applications, including the communication with the appellant, information required to make

determinations and the timeframe within which decisions were not made and the appeals submitted. However, in reaching my decisions, I have been concerned only with the individual merits of the appeal scheme in relation to the relevant policies and evidence before me.

Planning Balance (Appeal A only)

34. The development plan for the area includes the LP. While this predates the current Framework, it is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to their policies according to their consistency with the Framework. I am satisfied the relevant LP policies for determining the appeal, namely LP2, LP11, LP12, and LP34 are generally consistent with the design and heritage aims of sections 12 and 16 of the Framework. I therefore afford considerable weight to the conflict of the proposal with these policies.
35. The proposal also conflicts with NP Policy GENP2, to which I also afford considerable weight.
36. I have already identified the benefits of the appeal scheme as part of the assessment of public benefits in undertaking the necessary balancing exercise in relation to the listed Farmhouse.
37. The main parties have agreed that there would not appear to be conflict with the development plan regarding be harm relating to the proposal's effect on the countryside and I reached a similar conclusion regarding the character and appearance of the site's surroundings. I have also found that the proposed buildings would not harm the setting of the listed Barn and the extension to the shed to create cycle parking would be unlikely to harm the setting of the listed buildings. The main parties also agree harm would not emanate from parking provision and vehicle movements, biodiversity, and trees and there is no substantive evidence before me that would lead me to arrive at a different conclusion. These matters would therefore neither weigh in favour nor against the appeal scheme.
38. In terms of harm, the proposed garage, boiler room and store building, and the office and leisure building would both be harmful to the setting of Model Farmhouse and, thereby, fail to accord with the development plan.
39. This leads me to an overall conclusion that the appeal scheme would not accord with the development plan, when considered as a whole, and I find that the adverse impacts of the proposal are matters of great weight against the grant of planning permission that outweigh the stated benefits.

Conclusion

40. The proposed development would be contrary to the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Accordingly, for the reasons given, I conclude that Appeal A should be dismissed. In respect of Appeal B, I have concluded that listed building consent is not required and, therefore, no further action is required.

Paul Thompson

INSPECTOR