



Appeal Decisions

Site visit made on 4 July 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal A Ref: APP/N1730/W/22/3307228

Stockman's Cottage, Bullocks Farm, Hillside, Odiham, HOOK, RG29 1HX

- 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 & Mrs David Rutherford against the decision of Hart District Council.
 - The application Ref 21/00459/FUL, dated 16 February 2021, was refused by notice dated 26 August 2022.
 - The development proposed is described as 'conversion of former agricultural building to a C3 (residential) use, and for listed building consent for the works to enable the conversion'.
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Appeal B Ref: APP/N1730/Y/22/3307229

Stockman's Cottage, Bullocks Farm, Hillside, Odiham, HOOK, RG29 1HX

- 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 & Mrs David Rutherford against the decision of Hart District Council.
 - The application Ref 21/00461/LBC, dated 16 February 2022, was refused by notice dated 26 August 2022.
 - The works proposed are described as 'conversion of former agricultural building to a C3 (residential) use, and for listed building consent for the works to enable the conversion'.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Applications for Costs

3. Applications for costs were submitted by Mr & Mrs David Rutherford. These applications are the subject of separate decisions.

Main Issues

4. The main issue for Appeal A is whether the proposal would be acceptable in principle with regard to development plan policy that seeks to restrict development in the countryside.
5. An additional main issue for both appeals is the effect of the proposal upon heritage assets that include the appeal building, Bullocks Farmhouse, the Granary and the Barn.

Reasons

Principle of development

6. The appeal building is part of a rural farmstead. Policies SS1 and NBE1 of the Hart Local Plan (Strategy and Sites) 2032 (LP) seek to manage the location of new development and restrict development in rural locations. Certain exceptions are set out in Policy NBE1, of which criteria h) and l) are the most relevant to the appeal proposal.
7. Regarding criteria h), the existing building is a redundant agricultural building. The Council is of the view that the proposal is tantamount to a new build and cannot therefore be considered a conversion. There seems to be a significant misunderstanding by the Council however of the recommendations made in the Structural Assessment by Modulus¹ (SA) where two options are discussed. The first is to demolish and rebuild the structure to account for the failing structural timber frame, however this is not what is proposed in the submissions and is clarified in the appeal statement prepared by Modulus dated 15 September 2022. The proposal is to retain the building in situ, carry out various repairs and clad it in timber boarding to stave further decay.
8. However, there are discrepancies between the recommendations of the SA and the detail set out on the proposed drawings and summary of proposed works. The author of the SA strongly advises that the existing infill brickwork is not removed, yet the plans show a lightweight blockwork infill in place of the existing brickwork and the summary of proposed works refers to the same. Additionally, the SA recommends that additional loads on the existing structure are avoided, yet the drawings appear to show the new first floor joists fixed to joist hangers that would hang off the existing frame. Furthermore, the proposal includes a new clay tile roof to the building, yet the SA advises that roof materials should be as light as possible to minimise any loads on the existing structure and recommends modern light-weight products.
9. These differences significantly undermine the appellant's case and cast doubt over the extent of work necessary to change the use of the building. Additionally, the submission is somewhat muddled, as what is recommended in the SA is not what is proposed elsewhere in the application. I can therefore not be sure about the level of rebuild that would be carried out and am unable to conclude that the proposal would constitute the conversion of a redundant agricultural building, as opposed to a rebuild, to satisfy criteria h) of Policy NBE1.
10. Criteria l) refers to proposals that would secure the optimal viable use of a heritage asset. The optimal viable use of a heritage asset is usually the one for which it was originally built. It can be accepted that, given the scaling down of the agricultural operation at the site and the incompatibility between the building and modern farming practices, it would be highly unlikely that the building would be put back into its original use.
11. The building is in a poor state of repair, and the SA advises that if no action is taken then the building will inevitably fail within a few years. Even though there is some doubt over the level of work proposed, the submissions demonstrate that the work required to repair and alter the building for a new use would be

¹ Structural Assessment: Bullocks Farm, Hillside, Odiham, Hook, RG29 1HX Project Number: 3342

significant. Whilst a residential use of the building is likely to be a use that best secures its long term preservation, works necessary to change the use of the building to another use that would require it to be water tight, structurally sound and to improve its thermal efficiency so that it can be heated would require a very similar level of intervention.

12. However, the proposed conversion and the loss of a large portion of the yard to the proposed dwelling is likely to significantly stifle the use and development of the large barn to the north, by narrowing its potential future uses to those to which the building may not be well suited. This building is a sizeable heritage asset that would appear to be without a use. The proposal constitutes the piecemeal development of an historic farmstead in a manner that would be likely to significantly impact on the future use of the remaining buildings. As such, the proposal cannot be viewed as the optimal viable use of the whole farmstead and would not therefore satisfy the exception set out at criteria I) of Policy NBE1 of the LP.
13. In summary, the proposal would not be acceptable in principle as I am unable to conclude that it would accord with the exceptions for development in the countryside set out in Policy NBE1 of the LP. The proposal would also not accord with the Council's spatial strategy set out in Policy SS1 of the LP.

Heritage assets

14. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
15. The appeal building is listed by virtue of its position and historical association with other grade II listed buildings that make up the farmstead. In isolation the significance of the building is limited owing to the extent of alteration it has seen, which includes its infilling with modern bricks, its altered roof form, its full height extension to the west and single storey extension to the rear. Existing window and door fittings do not appear significant. Remaining historic fabric is limited to its timber frame and plinth brick courses.
16. However, the role it plays in defining the southeast corner of the farmyard and its historic appearance contribute positively to the significance of the farmstead and the setting of the listed barn, granary, and farmhouse. From within the yard, the appeal building serves to enclose an aspect of the yard in a traditional manner and reinforces the historic authenticity of the building group.
17. When viewed from the road to the south the group of buildings are readily visible. From here the appeal building can be seen alongside the granary, with the long undulating roof of the large barn behind. The farmhouse stands to the side of the yard and faces out towards the road. The interrelationship between the buildings that make up the farmstead contributes to an understanding of how they would have functioned and served each other, reinforcing their significance. Additionally, from this perspective the unbroken roof forms of the buildings can be easily seen. They are all orientated in the same way and most have bonnet hips to either end. These are important components of the traditional appearance of the farmstead that contribute to its significance.

18. The proposed changes to the overall form of the existing building include the reinstatement of a traditional tiled roof with hipped ends. This would improve its appearance and the contribution that the building makes to the setting of the wider group. The elevations of the main building would be altered by the addition of timber boards. These would serve to protect the existing fabric, which includes the historic timber frame. Although it would represent a significant change to the appearance of the building it would relate well to the timber boards that clad other buildings within the yard and would look a lot better than the existing fletton bricks. For these reasons I am satisfied that this change would not be harmful.
19. The proposal includes a long single storey extension that would extend the building towards the Granary. Evidence before me demonstrates that this would broadly replicate a previous extension. A clear gap would be left between its end gable and the granary, appropriately retaining the form and appearance of the granary as a freestanding building.
20. The rear roof slope of this extension would be fitted with four roof lights. These would be highly prominent to view when looking towards the buildings from the road. They would appear at odds with the otherwise unbroken appearance of the existing roofs and would introduce an overtly domestic feature to the farm building group, which would diminish the current distinction between the domestic appearance of the farmhouse and the functional appearance of the farm buildings. For these reasons I consider this to be an element of the proposal that would cause considerable harm to the significance of the group of buildings.
21. The distinction between the domestic appearance of the farmhouse and the farm buildings would be further eroded by the proposed fenestration. The existing converted barn to the north of the appeal building utilises large single sheets of glass for its full height openings. In contrast, the proposal shows that full height glazing would be divided into small panes in a style that is typically domestic. Some of the existing glazing is currently divided into small panes, however it is in the form of 20th century metal framed windows that have a distinctly agricultural appearance. Replacing these with small paned timber windows would not properly replicate this traditional agricultural aesthetic. Alongside the proposed full height timber glazing that would be divided in a similar manner, these design details would significantly erode the agricultural appearance of the building and harm the character and appearance of the building group.
22. The red line area includes approximately half of the existing farmyard. The proposal does not make provision for a fixed boundary in this location; however, it is highly likely that a future owner would seek to demarcate the boundary in some manner, and a change to half of the yard area is likely to cause further harm to the integrity of the farmyard as a single space, accepting that some harm already occurred when the area associated with the farmhouse was separated from the rest of the yard. The proposed demarcation would be particularly problematic if the area within the red line is altered so that it has the appearance of a domestic garden. To make the proposed curtilage secure, safe for a child to play or to contain pets there is likely to be considerable future pressure to erect a physical barrier of some form.

23. The proposal would cause considerable harm to the character and appearance of the farmstead for the reasons given. In terms of the National Planning Policy Framework (the Framework) the harms identified would be less than substantial. Paragraph 202 of the Framework establishes that any harm to a designated heritage asset should be weighed against the public benefits of the proposal.
24. The proposal would secure the general repair of the building and would give it a new use that should ensure its future conservation. Additionally, the proposal would reinstate a building along the southern boundary of the yard. These are heritage related public benefits that attract considerable weight given the contribution that the building makes to the character and appearance of the historic farmstead.
25. Economic benefits would arise from the construction phase, and as the future occupants of the dwelling make use of local goods and services. Additionally, the provision of a new dwelling would contribute to local housing supply. Such benefits would however be restricted by the modest scale of the proposal.
26. The heritage related public benefits carry considerable weight, and additional modest economic benefits would arise from the proposal. Paragraph 189 of the Framework states that heritage assets are an irreplaceable resource and paragraph 199 establishes that great weight should be given to the conservation of a heritage asset. Although I have identified aspects of the proposal that would constitute heritage related public benefits, elements of the proposal including the division of the yard, fenestration details and the provision of prominent rooflights would cause considerable harm when considered collectively. I have also found that the proposal would not constitute the optimal viable use of the whole farmstead. In weighing these matters, I am not satisfied that the benefits would be sufficient to outweigh the degree of harm identified.
27. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interest of the listed building and a significant aspect of the setting of nearby listed buildings. It would also be contrary to Policy NBE9 of the LP, which seeks to ensure that development proposals are designed to promote and reflect the distinctive qualities of its surroundings, and protect heritage assets including their settings.

Conclusion

28. In conclusion, the proposal would conflict with the development plan and there are no other considerations that outweigh that conflict. Therefore, both appeals should be dismissed.

A Tucker

INSPECTOR