



Appeal Decision

Site visit made on 4 July 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal Ref: APP/E2205/Y/22/3300933

Tayes Barn, Amage Road, Wye, Ashford TN25 5DE

- 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 Dr Caroline Newman against the decision of Ashford Borough Council.
 - The application Ref 22/00099/AS, dated 21 January 2022, was refused by notice dated 27 May 2022.
 - The works proposed are described as: 'replace existing wooden front door and window unit which is in a state of disrepair with a black aluminium glazed unit'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address from the appeal form as it more accurately describes the appeal site. The appeal property is a Grade II listed building¹ referred to on the National Heritage List for England as: '*Barn about 10 metres south west of Winterbourne*', and is hereafter referred to as Tayes Barn.
3. The appeal is against the refusal of listed building consent for works to a listed building. I have therefore had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is whether the proposed works would preserve the Grade II listed building of Tayes Barn or any features of special architectural or historic interest which it possesses.

Reasons

Special Interest and Significance

5. The appeal property is a timber-framed former barn dating to at least the seventeenth century that was converted to a dwelling in 1996. The building has weatherboarded external walls with a hipped and steeply pitched tiled roof that sweeps down to the low eaves on the west (front) elevation. Positioned centrally within that elevation is a large double height opening with a hipped dormer roof rising above the eaves. This emphasises the dominance of this feature on this elevation of the building.

¹ List Entry Number: 1221236.

6. As part of the conversion to a dwelling, the large double-height opening has been wholly glazed, with a central timber-framed glazed door and equal sized panels to either side. The opening includes regularly positioned mullions dividing the opening into equal vertical proportions. These extend through the glazing and across the central door, and those either side, and consequently are a unifying feature across the two elements.
7. The frames of the non-opening sections above the door are consistent with those of the central door and the panels to either side. The equal proportions and consistency of the framing and mullions contributes to a high degree of symmetry with a vertical emphasis that enables for an appreciation of the opening as a key feature of the significance of the building. It also ensures that the opening has the appearance of a single entity. Additionally, the use of a natural and traditional material such as timber is appropriate to and assimilates well with the building's agrarian origins. As such the existing treatment of the opening integrates well with the existing building and does not appear unduly obtrusive.
8. The building's pleasing vernacular form, using traditional materials and construction techniques, is illustrative of a seventeenth century barn. From the evidence before me, I consider that the special interest and significance of the former barn derives, in part, from its age, functional agricultural appearance, external materials including the prevalence of timber, and the legibility of its former use and past agricultural practices.
9. Its special interest and significance is also derived from its value as a group with associated Grade II listed buildings nearby.

Appeal Proposal and Effects

10. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting, and that this should have clear and convincing justification.
11. It is proposed to remove the existing timber-framed glazing in its entirety and replace this with a new aluminium frame construction. This would incorporate a pair of glazed doors that would be positioned centrally with notably narrower glazed non-opening sidelights to each side. This asymmetrical arrangement would lead to a more disjointed and fragmented appearance than the existing, with the proposed double doors appearing as highly conspicuous and separate elements to the glazing around them. Sidelights are a feature more typical of domestic dwellings and their inclusion here would erode the agricultural character somewhat.
12. The proposal is lacking in detail in respect of the proposed unit. There are no scaled existing and proposed drawings (elevations or sections) to allow a meaningful comparison or show how it would be installed. This is central to assessing the proposal and identifying whether there is harm. It would not be appropriate to leave such matters to conditions.

13. Nonetheless, from what is available to me, the frames of the proposed doors would be notably thicker than that of the sidelights and the glazing above, adding to the prominence of this element and further eroding the symmetry. Moreover, the new glazing and door would not include the regular arrangement of mullions present on the existing opening. The loss of this unifying feature alongside the disparity in frame thickness and opening width would reduce the vertical emphasis of the opening and would add to its uneven and disjointed appearance.
14. Whilst I acknowledge that there is aluminium present in the building in the form of the rooflights, these are not, to my knowledge, historic openings, nor are they located in openings that are key contributors to the special interest of the building. Powder coated aluminium has a different appearance to timber, typically having a more consistent and smooth finish compared to the natural undulations and grain of wood. The insertion of such a large area of aluminium framing in such a prominent, distinctive and important opening would contrast markedly with the former barn, appearing discordant in a building that is so overwhelmingly characterised by timber.
15. For these above reasons, the proposed doors and glazing would have a discordant appearance that would detract from the agricultural character, compromise the aesthetic value of the asset and reduce the legibility of the large opening and the listed building as a whole.
16. I have been provided with extracts of the Wye Village Design Statement (2000) (the WVDS) by the Parish Council. Whilst I note that this is only guidance, the guidance contained therein in relation to materials within listed buildings nonetheless reinforces my above reasoning. Similarly, the Council has directed me to its Supplementary Planning Guidance 'The Re-Use of Agricultural Buildings' (the SPG) which at 2.1.17 states that: 'External joinery should reflect in function, design and finish, the types of joinery used in the buildings historically'. This also supports my above conclusion.
17. Overall, whilst the proposal would not result in the loss of historic fabric, for the above reasons, the proposal would fail to preserve the character or appearance of the Grade II listed building. This would be contrary to the requirements of section 16(2) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. For the same reasons the proposal would cause harm to the significance of this designated asset.

Public Benefits and Balance

18. With reference to Paragraphs 201 and 202 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and nature of the proposal, I find that the harm in this instance would be 'less than substantial' but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
19. The existing timber door is in a poor state of repair. The appellant acknowledges that it has been difficult to maintain the door. The proposal would prevent water ingress, reduce maintenance costs and improve the thermal efficiency and security of the building. Whilst some of these effects

would be of public benefit, the majority would be of private benefit to the appellant. Moreover, such benefits could equally be achieved through more sensitive works to the building including a proposal that is more reflective of the existing treatment of the opening.

20. The heritage asset appeared to be in a sound condition and in use as a dwelling. There is no substantive evidence before me that confirms that the proposed works are necessary to secure the building's optimum viable use. Even accounting for modest economic benefits associated with the installation of the glazing and doors, cumulatively the sum of public benefits would not outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.
21. The proposal would not preserve the Grade II listed building of Tayes Barn or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
22. Listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Consequently, they do not need to be determined in accordance with the development plan although relevant provisions can nevertheless be material considerations. In this respect there would be conflict with Policies SP1, SP6 and ENV13 of the Ashford Local Plan 2030 (2019) which together seek to provide a high standard of design that conserves and enhances heritage assets and safeguards local distinctiveness.
23. Similarly, although not listed in the Council's reasons for refusal, there would also be conflict with the WVDS and the SPG, referred to above.

Conclusion

24. For the above reasons and having regard to all matters raised I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR