



Appeal Decision

Site visit made on 7 September 2023

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th October 2023

Appeal Ref: APP/L2250/D/22/3292030

1 Bargrove Farm, Bargrove, Newington CT18 8BH

- 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 Capell against the decision of Folkestone and Hythe District Council.
 - The application Ref 21/1359/FH, dated 23 June 2021, was refused by notice dated 16 November 2021.
 - The development proposed is the removal of existing external door and sidelight and blocking up of existing aperture and insertion of new patio doors.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of existing external door and sidelight and blocking up of existing aperture and insertion of new patio doors at 1 Bargrove Farm, Bargrove, Newington CT18 8BH in accordance with the terms of the application Ref 21/1359/FH, dated 23 June 2021, subject to the conditions appended to this decision.

Preliminary Matters

2. The status of the building subject to this appeal (the former barn) was unclear in the evidence provided. However, both parties were given the opportunity to provide comment and, having regard to Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), the parties agree that the barn is curtilage listed in respect of Bargrove Farmhouse, a Grade II listed building. I have therefore determined the appeal on this basis.
3. As such, in accordance with Section 66(1) of the Act, I have paid special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issue

4. The main issue is whether the proposal would preserve the Grade II listed building, Bargrove Farmhouse, or its setting.

Reasons

Special interest and significance

5. Bargrove Farmhouse is positioned to the south of the appeal property. It is a Grade II listed building¹, dating from the late eighteenth century and is finished in stone with red brick detailing and a plain tile roof.

¹ List Entry Number: 1061081

6. Based on the evidence before me, the special interest and significance of the listed building is largely derived from its architectural and historic interest. Important contributors in these regards, which are pertinent to the appeal, are its illustration as a vernacular farmstead, which includes the appeal property and its immediate setting.
7. The listed building derives further significance from the continued legibility of the Farmhouse as the principal structure of a former farmstead, with an historic and functional relationship with the appeal property, part of the adjacent former barn complex.
8. Given the former barn's curtilage listed status, its conservation is afforded the same great weight as the Farmhouse. However, the evidence before me, together with my observations on site, suggest that several significant changes have occurred to the appeal building over time. This includes its conversion for residential use and many associated physical interventions. In particular, interventions have included the insertion of multiple domestic window and door openings together with domestic landscaping. These factors have degraded the integrity and heritage merit of the barn somewhat as part of the listed building and have resulted in the loss of its historic agricultural character.
9. The closely associated grounds of the Farmhouse, including the adjacent barns, and gardens, form the immediate setting of the heritage asset. It is from here that the asset is best appreciated. This immediate setting contributes to the asset's special interest and significance. However, several interventions have occurred, including the construction of the adjacent large car park, finished in modern and incongruous urban materials, which have, to some extent, degraded the integrity and heritage merit of this immediate setting.
10. The surrounding open fields form the wider setting of the listed Farmhouse. Notwithstanding that this has been compromised to some extent through the development of transportation infrastructure and sports uses, its historic agricultural character nonetheless remains discernible. The wider setting allows an appreciation of the historic functional and physical relationship between the listed building and surrounding land. This wider setting contributes positively to the special interest and significance of the listed building.

Appeal proposal and effects

11. The proposed development includes the removal and blocking up of an existing door and window, and the insertion of replacement patio doors within the same elevation, albeit in a different position.
12. The ground floor of the building is currently in use as a residential unit. The modifications that have taken place on this floor previously are considerable. However, there remains some evidence of historic fabric, namely the stone walls, having been retained. Nevertheless, the existing window and door insertion appears to be a modern intervention, which no longer reflects the building's original appearance or function as an agricultural building.
13. The proposed works would result in the loss of a modern window and door insertion and some historic fabric (in particular, stone to the external walls). However, the amount of historic fabric lost as part of the works would be minimal. I also note the appellant's reference to the re-use of existing materials, where possible, including the use of matching bricks to form the

quoins surrounding the door. From that perspective, the development would not have any tangible effect on the attributes that underlie the special interest and significance of the building. Moreover, I am satisfied that a suitably worded condition would be appropriate to control the making good of the area of wall to be blocked up.

14. The relatively modest nature and discreet location of the proposed works are such that they would not affect the ability to appreciate the principal listed Farmhouse, or its immediate or wider settings, that contribute to its significance. These settings would remain undisturbed by the proposed scheme.
15. Overall, I conclude that the proposed development would preserve the Grade II listed building, Bargrove Farmhouse, and its setting. Consequently, it would not harm the significance of this designated heritage asset. In doing so, it would satisfy the requirements of Section 66(1) of the Act. The proposal would also accord with the relevant provisions of Policies HB1, HB8 and HE1 of the Folkestone and Hythe District Places and Policies Local Plan (2020), which in summary seek to protect heritage assets and their settings. This is in a similar vein to the National Planning Policy Framework (the Framework) insofar as the protection of heritage assets is concerned.
16. In finding no harmful effects to the special interest and significance of the designated heritage asset, it is not incumbent on me to consider any public benefits that would flow from the proposal.

Other Matters

17. The site lies within the Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area. Areas of Outstanding Natural Beauty (AONBs) are designated for the purposes of conserving and enhancing natural beauty. Although there is no dispute between the main parties in this respect, Section 85(1) of the Countryside and Rights of Way Act 2000 (as amended) places a duty upon me to have regard to these purposes in this decision. Supporting this objective, the Framework sets out how great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs. Although the appeal site contributes to the rural character of the surrounding area it makes only a limited contribution to the landscape character of the AONB. By reason of the nature of the proposed development, together with its discreet location, it would have a neutral effect on landscape character.
18. The site is also located within an area of archaeological potential. There is no dispute between the appellant and Council in this respect and there is no reason for me to disagree with those findings. By reason of the nature of the works to the façade of the appeal building, no conditions relating to archaeology are considered necessary.

Conditions

19. In addition to the standard time limit condition and a condition relating to the approved drawings, for certainty, a further condition is imposed requesting details and samples of the external materials to be used in the development. This is necessary to preserve the special interest of the listed building.

20. The Council has suggested a condition relating to matching materials. However, I consider the wording of the condition below in respect of materials to satisfactorily deal with this matter.
21. In imposing conditions, I have had regard to the tests within the Framework, the Planning Practice Guidance, and relevant statute.

Conclusion

22. The proposed development would comply with the development plan. There are no material considerations that indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be allowed.

A Price

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21/1209 – 01 Site Location Map, 21/1209 – 02 Site Block Plan, 21/1209 – 04 Proposed Floor Plan and Elevation, 21/1209 – 05 Joinery Details.
- 3) No development shall commence until details and samples of the materials (including mortar mix) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.