



Appeal Decision

Site visit made on 2 October 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2024

Appeal Ref: APP/P2935/Y/23/3324469

The Cottage, The Riding, St John's Lee, Acomb, Northumberland NE46 4PF

- 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 Ms Janet Penrose against the decision of Northumberland County Council.
 - The application Ref 22/04676/LBC, dated 16 December 2022, was refused by notice dated 16 May 2023.
 - The works proposed are Alterations to include inserting one window with shutter in south facing gable wall, alteration to existing door on east facing elevation, and replacement of existing window with fully glazed door and shutter on west elevation.
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Decision

1. The appeal is dismissed insofar as it relates to listed building consent for the proposed window within the south facing gable wall. The appeal is allowed only in so far as it relates to the west elevation glazing panel at The Cottage, The Riding, St John's Lee, Acomb, Northumberland NE46 4PF in accordance with the terms of application Ref 22/04676/LBC dated 16 December 2022 and subject to the conditions within the attached schedule.

Preliminary & Procedural Matters

2. The appeal concerns works to The Cottage that forms part of the larger complex of listed barns at The Riding under the auspices of the Grade II listed farm buildings and walls north of Riding Farmhouse (official list entry number 1370537), listed on 24 May 1988. Therefore, I am mindful of my statutory duties in respect of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. I have amended the address in the banner heading to better reflect the submitted appeal form details as it more accurately describes the site address. In addition, the description in the banner heading differs to the Council's amended description as applied within their decision notice, describing the proposal as '*Listed Building Consent for alterations comprising inserting one window with shutter in South facing gable wall, and the replacement of existing window with fully glazed panel and shutter on West elevation (Amended Description)*.' Whilst I have read that this description change was not agreed by the appellant, nevertheless, during the course of the planning application, plans were amended to remove glazing to the door on the east facing elevation. As this detail was omitted from the plans and not determined by the Council, I have therefore discounted it as part of my assessment. I concur that the Council's description accurately describes the proposal before me and is carried through in my decision letter.

4. The National Planning Policy Framework (the Framework) has been revised on 19 December 2023, and after the submission of the appeal. The historic environment policies have remained unchanged within the updated version of the Framework which is a material consideration.

Main Issue

5. The main issue is whether the proposed works would preserve the special interest of the Grade II listed building, The Cottage, or any features of special architectural or historic interest that it possesses.

Reasons

6. The Cottage forms part of a range of about four traditional farm outbuildings of the mid-19th Century at The Riding Farm, now converted into residential use since 2004. From what I could see, the significance and special interest of the group of listed buildings derives from their planned and well considered layout, including their architectural execution. Cohesively, the barns are constructed from rubble stone under a Welsh slate roof. Single-storey side ranges, to which The Cottage forms part, extend from a larger two-storey barn with various doors and windows, mostly in alternating-block surrounds with coped gables at south end of ranges.
7. Furthermore, the farmyard here is redolent of the traditional arrangement of a farmsteading of the mid-19th century with historic farm outbuildings arranged around a courtyard plan with openings facing into the courtyard, and barns situated within sight of the main farmhouse, Riding Farmhouse. It is also a heritage asset as it is Grade II listed (official list entry number 1154347), listed on 23 May 1988 and encompasses its attached outbuildings as part of its statutory designation. Its status within the statutory listing lists it with group value, emphasising its intrinsic importance as a component part in association with the other farm buildings. The farmhouse exhibits the architectural blueprint of a traditional stone-constructed farmhouse originating from 1834 with stone quoins and symmetrical in design, two-storey with a slate roof. It incorporates a striking semi-octagonal dairy in surrounding nine bay loggia with square piers and arched braces with a canted tipped roof. The farmhouse exhibits a typical domestic appearance to the more rudimentary farm ranges.
8. Significantly, The Riding is a good example of how the agricultural barns of an early nineteenth century planned farm complex were designed to serve a combination of functions. These typically ranged from the storage of carts or animals at ground floor, and hay, grain, or other important farming commodity stored at first floor with their sizes designed to reflect such functions. To that end, the specific purpose of the outbuilding dictated the size, location, number of openings necessary for access and ventilation openings, and lighting levels into spaces, all a planned consideration. Thereof, the significance of these openings relates to the evidence of their former use, and I could see that these important and distinctive features are well conserved at Riding Farm. Indeed, a high, wide and arched opening is evidence of one barn's original function for the storage of carts with, most likely a granary store above. Despite modern residential conversion, this building is clearly discernible as a cart store. Even though all openings throughout the residential conversion have been fitted with a combination of panel doors, modern glazing with wide frames, vertical glazing bars with continuity to their overall finished colour, it is noted that historic openings form a distinctive and significant characteristic that have been

largely retained. Overall, despite modifications, Riding Farm is well preserved and still reads as an authentic farmyard of that time.

9. Specifically, the appeal building is a linear and single storey range attached to a larger barn and smaller in scale with openings in a slightly irregular order. It has a rudimentary charm to its appearance and shares the same design characteristics as the other barns. Whilst it too has experienced some modern intervention as a consequence of the residential conversion given the private enclosures and domestic paraphernalia have created some domesticity to its appearance, nonetheless, it retains significant integrity as a component part of the historic farmstead.
10. Turning to the particulars of the appeal, it concerns works to insert a new double glazed timber framed casement window into the blank south facing gable wall at The Cottage as well as replacing a window on the west facing elevation with a fixed fully glazed panel with shutter.

West elevation panel and shutter

11. A new glazed panel with shutter to replace an existing kitchen window to the west elevation is not in dispute between the parties. I am aware from the evidence presented by the appellant that the original building records indicate a door was traditionally present in the same position where a new window has been inserted during conversion stage. As I have explained earlier, openings are a distinctive and traditional feature of these farm outbuildings and from my site observations of this element and the plans before me, it's positioning, general profile and design characteristics I agree would appear aesthetically and authentically acceptable for the period of outbuilding. It would therefore preserve the significance and special interest of the heritage asset including its group value.

South elevation window

12. The gable end of The Cottage is seen in the approach from the access lane and is blind, built from random sandstone construction and in good condition. The structure of this gable end is solid and there is nothing before me to indicate that it was anything other than historically built as such.
13. However, to insert a window here would not retain this traditionally solid gable end but veer from the authenticity of the openings associated with this farm building. Even if new gable end openings have been inserted to a different farm building during residential adaptation, I am not furnished with the precise details of this to consider. I appreciate its size, use of natural stone cills and lintel and timber frames for the proposed window would represent appropriate materials in this context of these rural outbuildings, but irrespective of this, the change would have an erroneous effect upon the group value of listed buildings where their openings preserve their significance and historic interest. Furthermore, the simple casement style proposed with limited detail would not reflect the particular design characteristics of fenestration at The Cottage.
14. Therefore, it would have the effect of adversely detracting from the special interest of the heritage asset resulting in small, but nonetheless erosive effect upon the integrity of the significance of the heritage asset, and also failing to preserve their group value as a whole, but rather cause harm to their special architectural and historic interest, contrary to the expectations of the Act.

15. Paragraph 205 of the National Planning Policy Framework advises 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 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. Where a proposal will lead to less than substantial harm to the significance of a designated asset, Paragraph 208 of the Framework requires the less than substantial harm be weighed against the public benefits of the proposal, including where appropriate, securing the optimum viable use. Bearing in mind the scale and nature of the proposals, I judge that the degree of the harm to the significance of the listed building be less than substantial.
16. The benefit to the appellant of unfiltered views across the access lane that would arise could not realistically be considered as a public benefit as this is not specifically a public area, but more akin to a private communal drive for the residential dwellings and their visitors. In addition, there are no details of reported crime incidents brought to my attention by the appellant to take into account. I apply only limited weight to this overlooking effect as a public benefit. Additional light levels into this kitchen space that would be brought by another window would be a private benefit to the appellant. Overall, there are no public benefits advanced by the appellant that would lead me to conclude that they would outweigh the harm arising by the insertion of this window that would not preserve the significance and special interest of the asset or group as a whole.

Other considerations

17. The appellant explains that they have personal health considerations. The Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 sets out the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The appellant is one with a protected characteristic for the purposes of the PSED. However, as a result, it does not follow that the appeal should necessarily succeed, but rather that I have due regard to their personal circumstances and a duty to consider the implications of my decision upon this person.
18. There would be advantages for the appellant being able to overlook the access lane through a new window to the gable end with the resultant sense of security, and the additional light levels into their kitchen I recognise would be an improvement to the current situation. However, I have not been provided with substantive evidence to demonstrate precisely in what way this further opening would contribute positively to their health condition, or how a negative appeal outcome would disadvantage their personal health. I therefore apply limited weight to the health considerations based on the information before me.

Balance - south facing opening

19. Bringing these things together in the final balance, even though I have found that the harm to the heritage asset is less than substantial, there is little before me to justify the proposal for a new south facing window as causing the minimum impact to achieve it, and in the absence of sufficient public benefits the proposed south facing window would fail to preserve the special interest of

the heritage asset or group value in accordance with the Act. Furthermore, I have had due regard to the appellant's health circumstances but find no compelling evidence that would outweigh the harm identified.

Overall Conclusion

20. I have found that the works would not cause harm to the significance of the heritage asset or harm to the group as a whole only in so far as they relate to the new glazed panel to replace a window in the west elevation. Therefore, it would comply with the heritage safeguarding aims of Policies QOP 1, ENV 1 and ENV 7 of the Northumberland Local Plan 2022 and the Framework, and the appeal therefore succeeds on this specific work. With respect to the proposed new window to the south facing gable, it would conflict with the heritage safeguarding aims of Policies QOP 1, ENV 1 and ENV 7 of the Northumberland Local Plan 2022 and the Framework. This work would fail to preserve the listed asset and group value, and I conclude that this element of the appeal should be dismissed. However, Policy 10 of the Acomb Neighbourhood Plan is not relevant to the appeal as it does not specifically relate to works affecting listed buildings.

Other Matters

21. Riding Farmhouse is a statutorily listed Grade II building with group value. This further emphasises the significance of the historic interest of the planned farmstead as a whole. The Cottage is positioned within close quarters of the farmhouse, within its setting. Although the Framework states that the setting of a heritage asset is not fixed and can change and evolve over time, in the overall scheme of things, given its size and position, and the setting it is experienced within, the proposed gable end opening would have only a small but nonetheless deleterious effect upon the special interest of this listed building. As a result, the setting would not be preserved and an element that contributes to its overall significance would be harmed and therefore the expectations of the Act would not be met.

Conditions and Final Conclusion

22. I have had regard to the suggested planning conditions from the Council and in light of the Planning Practice Guidance and Paragraph 56 of the National Planning Policy Framework. With regards to a listed building consent appeal no plan condition is necessary. A condition relating to time limit to implement the permission is however necessary. Conditions in relation to details of the materials is reasonable in order to protect the special interest of the heritage asset as well as a method statement for the works is also specified.

23. Therefore, to conclude, only part of the appeal succeeds.

Alison Scott

INSPECTOR

Schedule of Conditions

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The existing window on the west elevation shall not be removed until large scale drawings at 1:20 scale and sections at 1:5 scale and specification details of the glazed panel, shutter and details of finished decoration have been submitted to and approved in writing by the Local Planning Authority.
- 3) Prior to the formation of the new opening on the west elevation, a detailed method statement for the works, including specification details of the stone for the lintel, sill, quoins, and details of mortar mix including sample panel to be prepared on site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be constructed in accordance with the approved details and retained for the lifetime of the development.

END OF SCHEDULE

