



Appeal Decision

Site visit made on 23 January 2024

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 20 February 2024

Appeal A: APP/Z1510/W/23/3315868

Woodertons Farm, Gestingthorpe Road, Little Maplestead, Essex CO9 2SN

- 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 S Fordham against the decision of Braintree District Council.
 - The application (Ref: 22/02231/HH), dated 24 August 2022, was refused by notice dated 19 January 2023.
 - The development proposed is demolition of modern single-storey lean-to addition to barn; reinstatement of yard wall between house and barn; construction of single-storey lean-to addition to barn; construction of glazed and tiled link between house and barn; reinstatement of pair of doors in former opening to midstrety.
-

Appeal B: APP/Z1510/W/23/3315866

Woodertons Farm, Gestingthorpe Road, Little Maplestead, Essex CO9 2SN

- 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 S Fordham against the decision of Braintree District Council.
 - The application (Ref: 22/02232/LBC), dated 24 August 2022, was refused by notice dated 19 January 2023.
 - The works proposed are demolition of modern single-storey lean-to addition to barn; reinstatement of yard wall between house and barn; construction of single-storey lean-to addition to barn; construction of glazed and tiled link between house and barn; reinstatement of pair of doors in former opening to midstrety.
-

Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 and updated it on 20 December 2023. Those parts of the Framework most relevant to these appeals have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
4. As the appeals relate to listed buildings I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

5. Planning permission and listed building consent was previously granted¹ for a similar development (the approved scheme). It is common ground that the material difference between the permitted scheme and the current proposal is the design of the link between the house and the barn.

Main Issue

6. The main issue is whether the proposal would preserve the Grade II listed buildings, "Woodertons Farmhouse" (Ref: 1168703) (the farmhouse) and "Woodertons Farm Barn at Rear Approximately 30 Metres West of House" (Ref: 1123064) (the barn) (the LBs), and any of the features of special architectural or historic interest that they possess.

Reasons

7. The farmhouse was listed in 1983 and dates from the late 14th and mid-15th centuries, with later additions and alterations, including a 20th century extension to the rear incorporating a 17th century farm building, which the appellants identify as having been a stable. The farmhouse nonetheless retains much of its original form, although the later additions, particularly in the late 20th and current century have altered its scale from that of a cottage, which is how it was described in the original listing, to a more substantial farmhouse reflective of an earlier, more substantial dwelling that occupied the site.
8. The barn was listed in 1984 and dates from the 18th century. It is a good example of its type, featuring a gabled midstrey and uses traditional building materials. The roof, which would have originally been thatched, is now tiled, this material replacing corrugated iron that was in situ at the time of listing and the use of the barn has changed to a residential use, associated with the main dwelling.
9. Together, the relationship of the buildings defines the typical, compact layout of a farmstead composed of discrete buildings whose function is reflected in their design, centred around a central, enclosed courtyard. Given the above, I find the special interest of the buildings, insofar as it relates to these appeals, to be primarily associated with their immediate context and spatial relationship to one another as an example of a working farmstead which has evolved over time to reflect the needs of the business. I find that these elements directly contribute to the special interest of the buildings. This functional relationship, together with the enclosure of the yard by the LBs, was similarly noted by a previous Inspector when determining two previous appeals².
10. Whilst other elements of the proposal would be the same as those previously approved, the form of the link between the farmhouse and a proposed lean-to on the barn, constructed roughly in the position of an existing lean-to, would be altered. The current proposal would build a brick wall between the farmhouse and the barn enclosing the courtyard. Inside of this a corridor, with an inner glazed wall and a pitched, tiled roof would be constructed.
11. Although the LBs visually enclose and identify the courtyard space, there is physical and visual separation between the two, and this separation allows the separate functions of the buildings, as part of the working farm, to be appreciated.

¹ Council Refs: 20/02094/HH and 20/02095/LBC

² PINS Refs: APP/Z1510/Y/15/3134048 and APP/Z1510/W/15/3134049

12. The linking brick wall and tiled roof of the proposed link would be a substantial, bulky addition on that side of the courtyard. The massing of the link, using solid materials similar to those of the farmhouse, would visually and physically connect the two buildings when viewed both from inside and outside of the courtyard and appear as a linear extension of the rear range of the farmhouse. This would erode the current perception of physical separation and undermine the appreciation of their separate historic function and contribution as parts of the farmstead.
13. The appellant has suggested that the proposed building would, in bearing a semblance to a shelter shed, be of a design reflecting the context of the site, and that there was formerly a building in that location. However, neither the form of that building nor its scale or function have been identified. Whilst there is evidence of a brick wall linking the farmhouse and the barn, there is little to suggest that a substantial enclosed or semi-enclosed structure was present in that location. It has not, therefore, been demonstrated that the proposal would restore any previous link of a similar scale or massing. It would consequently be an inauthentic addition lacking any clear historical justification.
14. Thus, I find that the proposed development would fail to preserve the special interest of the listed buildings. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
15. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given that the proposal would not cause physical harm to the buildings themselves, but rather affects how the group is experienced, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
16. Paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
17. The proposal would include the reinstatement of a pair of doors in a former opening in the midstretey. This would reinstate a significant feature of the building and allow better appreciation of its former use. This is a public benefit that weighs moderately in favour of the proposal.
18. The proposal would improve the amenity of the house by providing a weatherproof link between the two parts of the dwelling. However, the continued use of the building is not dependent on this proposal as the present residential use would not cease in its absence. The weatherproof link and additional internal space for the occupiers of the house would be a private, rather than a public, benefit.
19. The previously approved scheme would provide a link between the farmhouse and the barn in a similar way, thus achieving the private benefit considered above. However, whilst a brick wall, providing enclosure of the yard, would be constructed this would have a flat, glazed roof. Thus, in the absence of the roof structure surmounting the wall, when observed from outside of the courtyard nothing other than the brick wall, with the appearance of a simple boundary

wall, would be apparent. The inner wall would, again, be glazed and, from the inner side, the structure would have a lightweight, modern appearance, clearly distinguishable in appearance from the forms of the LBs. Thus, the previously permitted scheme, if constructed in its approved form would not result in the same, or greater, level of harm to the significance of the LBs.

20. The benefits of facilitating a better understanding of the barn is not sufficient to outweigh the harm that I have identified. I further note that this benefit would also accrue from the approved scheme.

21. Given the above and in the absence of public benefits that outweigh the harm that I have identified, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed buildings. This would fail to satisfy the requirements of the Act, paragraph 206 of the Framework and conflict with Policies SP7 and LPP57 of the Braintree District Council Local Plan 2013-2033 (2021) that seek, among other things, to protect and enhance assets of historical value and ensure that development meets the tests set out in national policy. As a result the proposal would not be in accordance with the development plan.

Conclusion

22. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

I A Dyer

INSPECTOR