



Appeal Decision

Site visit made on 5 March 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 2 April 2024

Appeal Ref: APP/H0520/W/23/3319674

Land rear of Chestnuts Farm, River Lane, Elton PE8 6RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Sir William Proby against the decision of Huntingdonshire District Council.
 - The application Ref is 20/00469/FUL.
 - The development proposed is for the erection of 3 dwellings and the conversion of an agricultural barn to 1 dwelling and improvements to existing field access from River Lane.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the Council issued its decision. In this instance, the relevant changes only relate to paragraph numbering and do not fundamentally affect the substance of the matters under appeal.
3. The planning application was accompanied by a listed building consent application for the proposed works which was also refused by the Council. The appeal before me has been made in relation to the planning application only and I have limited my consideration to this matter.
4. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) 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. I have also had regard to the duty imposed by section 72(1) of the Act which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Paragraph 195 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Main Issue

5. The main issue is the effect of the proposed development on the character or appearance of the Elton Conservation Area, and on the significance and setting of Chestnuts Farm, a Grade II listed building.

Reasons

Conservation Area

6. The appeal site relates to land and an outbuilding associated with Chestnuts Farm, a Grade II listed building, located within the settlement of Elton. The plot runs from behind Chestnuts Farm in a northerly direction with a limb extending to the west to join River Lane. It is located within the Elton Conservation Area (CA).
7. The evidence in the appellant's Heritage Statement (2020) (HS) indicates that the settlement's historic character is derived from the well-preserved agricultural estate with medieval origins closely associated with the monastic house of Ramsey Abbey and later development associated with post-medieval Elton Hall. The estate expanded significantly in the 17th -19th centuries with a distinctive collection of vernacular houses and cottages built in limestone mostly roofed in stone slates. The HS notes that *'The layout of the medieval village with its foci of occupation at River End/Stocks Green and at Over End has remained essentially intact in spite of limited modern development on the fringes of the settlement'* (p39).
8. The CA centres on the historic properties and plot boundaries which sinuously follow the main historic routes between Elton Hall and the river. Whilst there is some variation to the character and appearance of the area, notably between the area around the Hall and the more clustered village centre near to the river, I noted from my visit a general consistency to the historic positioning of buildings on their plots. Historic residential properties tend to front the roads with associated land and ancillary structures to the rear. I also noted the landscaped setting of the settlement which is an attractive rolling countryside which in places extends up to the road frontage, together with floodplains sloping down towards the river.
9. Chestnuts Farm is located prominently within the cluster of properties near to the river and fronts onto Stocks Green, an open green space at its centre. It is one of several historic farmsteads within the settlement which help define its form and give it a clear sense of rural character.
10. Based on the submitted evidence and my observations on site, I consider that the significance of the CA is mainly drawn from the range of built development within it, and the relationship of the buildings to each other and the spaces around them. The location of historic dwellings within their plots and their relationship to the wider rural area, is a key part of that significance. Chestnuts Farm, the historic buildings associated with it, and the form of its land to the rear, makes a positive contribution to the area's character and appearance.

Listed Building

11. Chestnuts Farm (listed as Chestnut Farmhouse and former shop, Ref.1130076) is an 18th century farmhouse with a 19th century extension. The list description mentions that it is constructed of coursed limestone rubble with stone dressings with a mainly stone tiled roof. It is of two storeys with an attic and a symmetrical façade of three bays. It describes in some detail the architectural features of the building and some elements of the interior. The significance of this building, in so much as it relates to the appeal before me, is largely

derived from its age, its linear plan form and its historic fabric. These attributes, along with its distinctive appearance, mark it as an important survival of an historic farmhouse. The status and significance of this building is clearly apparent within the settlement, and this is reinforced by its context.

12. This context, or setting, is a combination of the building's prominent location within the settlement, the pattern of development and the relationship of the buildings to the spaces around them. In addition to its prominence on Stocks Green, its context is also partly defined by the surviving linear form of the agricultural land, historic boundaries and agricultural buildings to the rear of the farmhouse extending out into a more open, pastoral landscape setting. These are the surroundings in which the listed building is experienced and appreciated, and they directly contribute to its special interest/significance. Any development within the rear plot therefore has the potential to impact on the contribution that the setting makes to its significance.
13. The historic barn, proposed to be converted, is a 19th century outbuilding with later alterations, constructed in coursed, rubble stone comprising a central cart shed with hayloft above. It is flanked by two gabled wings which the HS suggests were stables or livestock buildings, with part being converted for use as a milking parlour. The building has a number of distinctive openings, most notably the broad segmental-arched doorway to the cart shed with gauged brick voussoirs and two circular openings. It has typical agricultural doors and windows providing evidence of the building's function. Other features of interest include historic paving and the detailing to some doors and windows. Despite some recent alterations, it embodies a measure of architectural and historic interest, derived from its form, fabric, architectural detailing and its historic function. It is regarded as a curtilage structure and comprises a key element of the agricultural setting of the listed farmhouse, thus unequivocally contributing to its significance as a designated heritage asset.

Effect of the proposal

14. The development would be located on land to the rear of the farmhouse which comprises the curtilage listed barn set within an overgrown yard near to the farmhouse, and a larger grassed area beyond. This latter area is the site of several dilapidated portal framed buildings accessed from a farm gate on River Lane. At my visit, I noted that the portal framed building adjoining the northern field had almost collapsed, and the building to the immediate north of the curtilage listed barn was significantly dilapidated with missing roofing and walling panels. There was little if any visible physical boundary between these portal framed buildings and the northern field beyond, except for fencing tape to manage horses in the field.
15. The three, one and a half storey dwellings would be constructed towards the rear of the plot, roughly on the site of the dilapidated portal framed building closest to the historic barn. They would be arranged as a pair of semi-detached and a detached dwelling constructed in stone with stone detailing and slate roofs, and dormer windows to the front and back. The existing farm access off River Lane would be enlarged and the access would extend across the front of the new-build dwellings to the converted barn. An open-fronted car port would stand at right-angles to the site entrance in a similar location to an existing Dutch barn.

16. Whilst I recognise that the design of the proposed new-build dwellings would to some extent be representative of other dwellings in the immediate vicinity, they would be located prominently within the historic farmstead associated with the listed farmhouse. Their overtly domestic design, including dormer windows, the symmetrical arrangement of openings, and their form, would be typical of a modern estate-form of housing. This would be a direct contrast to the typically more varied and functional appearance of both vernacular and more modern farm buildings. In addition, the height and scale of the proposed dwellings would be considerably greater than the height of the structures that they would replace and would visually compete with both the appearance and scale of the historic barn. Furthermore, their siting centrally within the plot, would further heighten their presence, being clearly visible from the approach on River Lane and from the surrounding fields.
17. As a result of their design, form, scale and siting, the dwellings would look jarringly out of place within the historic farmstead and harm the contribution that the existing agricultural land makes to the setting of the farmhouse. Furthermore, they would, to some extent, sever the visual connection that the listed building and curtilage barn have with their agricultural landscape and erode their historic functional connection with the land. The development would therefore irreversibly alter the way that the listed building is experienced and appreciated, and its significance would be eroded.
18. The proposed development within the historic farmstead would also, therefore, have a direct impact on the character and appearance of the CA. The more recent farm buildings, mainly surrounded by grass, which have been relatively low in height and of muted materials, appear to almost spill out into the field, and without a noticeably solid boundary. The effect is a relatively subtle transition of those buildings merging into the wider landscape. Therefore, the very much taller and dominant replacement dwellings and associated infrastructure and their gardens would extend out more abruptly and noticeably into the field with a harder, domestic boundary.
19. The introduction of a modern, estate form of housing into an historic agricultural holding, would therefore change the visual appearance of this part of the settlement edge and confuse the site's historic identity. Although it is a relatively small site with residential development to either side, it has a much wider interface with the adjoining field and the proposed development would represent a harmful change to the fringes of the settlement. This would be clearly viewed from the entrance on River Lane and from property boundaries on Duck Street. It would therefore undermine the contribution that the existing site makes to the character and appearance of the area, harming part of the historic layout of the medieval village near to the river which the HS indicated had remained essentially intact despite limited modern development on the fringes of the settlement.
20. The proposed new-build dwellings may be approximately on the site of the existing modern barns but even though these barns are extremely dilapidated, they are not unexpected features associated with a farmstead and are often transient in nature. The location of these buildings should therefore not necessarily be used as an indicator for where more permanent buildings should be located. This is especially the case when it has already been noted that historically dwellings tend to address road frontages. The proposed siting and layout would therefore not be representative of the surrounding area.

21. Whilst there are distinctive groupings of dwellings elsewhere in the settlement, the examples cited by the appellant do not appear representative of the circumstances before me. Two of those sites lie outside the CA, and the other two, whilst incorporating historic buildings, involve properties which address road frontages or appear to have converted historic buildings within the body of the site creating an integrated whole. From what I saw, neither was representative of the scheme before me with its modern, estate type housing unrelated to the buildings around them.
22. The historic barn conversion would broadly respect the existing layout of the building and existing openings. The details, predominantly shown on the plans, indicate works including the installation of a limecrete floor, details of the doors and windows, re-tiling of the roof to the gabled wings and a corrugated composite cladding feature to the central roof. Drawn details have also been submitted indicating a typical door and window, as well as a limited roofing and walling detail. Overall, the scheme appears to me to form the basis of a sensitive conversion and would secure the future of the building.
23. However, I saw evidence of defects in the historic building fabric including significant cracking in some walls. A condition survey would have demonstrated to me the extent of the repairs required together with a scheme of works for dealing with them. In addition, it is not clear how the junction of the central roof with the adjoining tiled roofs would be addressed. There are also no details of services including vents and cowls, and the generic joinery details do not reflect the variety of windows and door designs, opening mechanisms or positions within the openings.
24. The details before me, therefore, don't elicit the full extent of the repairs required or adequately specify aspects of the conversion which could affect the building's integrity and significance. Although some of these matters could be secured by condition, adequate information must be provided prior to determination to enable an assessment of the likely impacts on the significance of the heritage assets. This is necessary to ensure that decisionmakers can demonstrate that their statutory duty has been observed. It is very apparent to me that the information provided is inadequate in this regard.
25. Therefore, although the proposal would endeavour to sensitively repair and re-use the former barn, I cannot be sure that the works would not harm the integrity of the building or the contribution that it makes to the significance of the principal listed building.
26. I have had regard to the appeal decisions cited by the appellant. The development at the Smithy, Elton (APP/H0520/Y/19/3225098) was not of a similar scale to that proposed in this appeal. In addition, whilst conditions may have been appropriate to secure the building details of that development, I consider that too much information is outstanding in the appeal before me to enable such an approach. These works have the potential to significantly affect the building fabric and its appearance. The appeal in Bluntisham (APP/H0520/W/22/3297921) was for outline permission for dwellings within a residential curtilage and did not appear to affect designated heritage assets. I am therefore not persuaded that it is directly comparable to the proposal before me.
27. Considering all of the above, the proposal would have a harmful impact on the character or appearance of the Elton Conservation Area, and on the

significance and setting of Chestnuts Farm, a Grade II listed building. Therefore, the expectations of the Act are not met. Paragraph 205 of the Framework advises that when considering the impact of a proposal 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 alteration or destruction of the asset or from development within its setting and any harm should have a clear and convincing justification.

28. I find the harm in the context of the significance of the designated heritage assets as a whole, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal. Paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
29. The proposal would result in four new dwellings within the settlement, adding to the overall stock and choice of residential dwellings, and support the national supply of homes. It would make use of an under-used site, removing dilapidated structures and tidy up the area. It would also support the vitality of the community, including supporting local services and facilities, and would provide some construction jobs, potentially benefiting smaller construction companies. Future occupants would also help sustain local businesses. However, given the size of the development proposed, these public benefits would be modest in scale.
30. The proposal would find a new, long-term use for the barn and it may be that conversion to a dwelling is the building's optimal viable use. Potentially, it would also help preserve the setting of the listed farmhouse. However, in the absence of adequate details and justification, it has not been demonstrated that the scheme before me would protect the significance of the heritage assets. Therefore, at this stage that benefit cannot be justified.
31. Given the above, I conclude that the public benefits would be of insufficient weight to outweigh the great weight to be given to the harm to the designated heritage assets. As such, the proposal would not comply with paragraph 205 of the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the designated heritage assets.
32. Consequently, the proposal would not comply with the requirements of the Act and the Framework. It would also conflict with Policies LP9, LP11, LP12 and LP34 of Huntingdonshire's Local Plan (2019) that seek to support and underpin the statutory and policy objectives. As a result, the proposal would not be in accordance with the development plan as a whole.

Other Matters

33. Both parties refer to other listed buildings in the vicinity of the appeal property, including The Old Bakehouse (Listed as The Old Bakehouse, Ref. 1317618) on Duck Street. Having viewed the location of these buildings and their siting, I consider that they would have very little if any intervisibility with the appeal proposal. Nor do I have any evidence of a functional link between the appeal site and these listed buildings. As such I consider that the appeal proposal would not detrimentally affect their setting.

34. The appellant has expressed concerns regarding administrative errors relating to the handling of the application by the Council and the extended length of time taken to make the decision. Whilst this must have caused the appellant some frustration, this does not materially affect my consideration of the planning merits of the appeal proposal.

Conclusion

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

G Bayliss

INSPECTOR