



Appeal Decision

Site visit made on 15 March 2024

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 April 2024

Appeal Ref: APP/Z1510/Y/23/3327308

Old Applecroft Farm, Applecroft Farm Road, Great Henny, Essex CO10 7NP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Gallagher against the decision of Braintree District Council.
 - The application Ref is 23/00478/LBC.
 - The works proposed are described as 'Demolition of curtilage listed outbuilding'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the 'Framework') was published after the appeal was submitted. The sections of this document most relevant to this appeal have not been altered. As such, it has not been necessary to seek further comments from the parties.

Reasons

3. The main issue in this appeal is whether the proposed works would preserve Applecroft Farmhouse¹, a Grade II listed building.
4. The principal listed building at the appeal site is a timber framed former farmhouse, probably of early modern origins. Its surviving fabric is a repository of historic building techniques and tells us much about bygone lifestyles. In the mid-19th Century, the building was re-fronted in decorative flintwork with quoins and dressings of gault brick. This intervention is testimony to an important layer in the building's evolution. It has also resulted in a very attractive finish. As a result, the building has historic, archaeological/evidential and architectural/aesthetic value and this provides it with significance.
5. Historic mapping in the appellant's Heritage Statement demonstrates that Applecroft Farmhouse was once positioned within a small farmstead that included several agricultural buildings arranged in a courtyard. The agricultural origins of the listed building are an important part of its significance. As explained above, the mid-19th Century witnessed a significant intervention in the site when the farmhouse was re-fronted, and several agricultural buildings constructed. This may be a consequence of the Agricultural Revolution. Throughout the 20th Century several of these agricultural buildings were

¹ I have taken the name from the list description.

demolished, but the site nevertheless retains the character of a small farmstead on account of the courtyard of buildings still in place.

6. The building now proposed for demolition is known as Old Applecroft Farm Cottage (the Cottage). There is no dispute that it is curtilage listed building. The Cottage was originally an agricultural building and is potentially shown on the tithe map of 1840. The presence internally of four timber joists² may be evidence of the building's age, although they could have been reused from elsewhere. Nevertheless, the building is shown on the ordnance survey map of 1876. It may have been rebuilt at some point between 1840 and 1876. It was certainly modified, as the existing western and northern elevations exhibit the same mid-19th Century flint and brick detailing found on the main farmhouse. This provides the buildings with an intentional aesthetic link.
7. The appeal building, which was described as a 'shed and loft' in 1945, was heavily modified around this time when it was converted into a 'cowman's cottage'. The southern elevation appears to have been enclosed and rebuilt to a slightly larger footprint using modern painted bricks and the eastern elevation has an unfortunate rendered finish. Domestic insertions include a porch and chimney. At some point in the late 20th Century an incongruous conservatory and unsympathetic top hung windows have been added which are visually detracting. Internally there are few historic features evident from a superficial inspection other than the beams already mentioned³.
8. Given the above analysis, it is apparent that the conversion of the Cottage has resulted in some unattractive interventions that have seriously eroded its aesthetic value, especially the windows, modern brick and rendered finish and the conservatory. That said, the period brick and flint work to the western and northern elevations is attractive and visually links the building with the farmhouse. The original scale, footprint and shape of the agricultural building is also discernible and the use of black weatherboard hints at the agricultural vernacular. As a result, the building is not without aesthetic merit, and this can be seen in views from the southwest and northeast where the Cottage sits comfortably as part of the former farmstead.
9. In terms of historic interest, the Cottage has been in situ for perhaps 150 years in some form or another as part of a farmstead courtyard from which the listed building draws significance. It also has some surviving fabric from an important layer in the farmstead's evolution including Victorian brick and flint work to the west and northern elevations. That said, the domestic conversion resulted in the agricultural character and appearance of the building being seriously eroded. This has diminished the buildings historic significance. Nevertheless, the conversion to a 'cowman's cottage' is of some interest in demonstrating agricultural continuity at the site well into the 20th Century.
10. Overall, the building has some limited historic and aesthetic significance as part of the listed farmstead. Its demolition would therefore result in the complete loss of the building and the significance it imparts. Thus, in conclusion, the works would moderately harm the special interest of Applecroft Farmhouse. In so doing it would fail to preserve it, contrary to the expectations of The

² Only two are shown in the Heritage Statement

³ The Council has not taken issue with the lack of a more detailed inspection. The absence of such an assessment has not proved significant in this instance given my overall conclusion.

Planning (Listed Buildings and Conservation Areas) Act 1990. It would similarly be at odds with the expectations in Paragraphs 195 and 196 of the Framework.

Heritage Balance

11. The harm to the listed building would not be severe and would therefore be less than substantial within the meaning of the Framework. Paragraph 208 of the Framework requires such harm to be weighed against the public benefits of the proposal. In this instance the appellant submits that demolishing the Cottage would better reveal the aesthetic value of Applecroft Farmhouse because, as things currently stand, the Cottage detracts from and blocks a view of the principal elevation of the farmhouse when it is approached from the south. There is some traction to this argument because the conservatory and poor-quality windows are very apparent in views from this direction.
12. However, this is only one vantage point. It is possible to unimpededly appreciate the front elevation of the farmhouse from several other locations. Moreover, the view in question has been obscured for at least 150 years by the Cottage. The appearance of the cottage could also be improved by, for example, the removal of the conservatory and the replacement of windows with something more sympathetic. Indeed, the Cottage could be more comprehensively renovated to better reflect the agricultural building it once was. In this context, demolition would be a drastic solution which has not been underpinned by a robust consideration of alternatives. I therefore give only moderate weight to the suggested benefit.
13. The appellant has also suggested that the building should be removed because it has no function. However, it could be converted to a small annex, workshop, home office or domestic store. There may also be other uses that could be explored with the local planning authority, such as a holiday cottage or such like. Substantive evidence is not before me that demonstrates there is no prospect of the building having a viable function in the future. In fact, the building appears to be in reasonable condition and is currently used for storage. There is nothing of substantive before me demonstrating it is structurally unsound or unsafe.
14. The Framework states that designated heritage assets are an irreplaceable resource that should be conserved for existing and future generations. Any harm to their significance is therefore an important matter. Indeed, the Framework states that great weight should be given to an asset's conservation. Conservation in this context means sustaining, and thus not harming, an assets significance. It is also of note that the statutory duty to have special regard to the desirability of preserving the listed building⁴ is a matter that must be given considerable importance and weight. This is not an instruction to dismiss a proposal that would harm a listed building, but it nevertheless provides a strong presumption in favour of preservation, which is doing no harm.
15. The proposal would result in limited harm to the significance of a designated heritage asset. This matter carries weight of a high order. Against this, the public benefits of the proposal are only cumulatively of moderate weight. Overall, the benefits are not of sufficient force to outweigh the less than substantial harm that would occur. Accordingly, there would be a conflict with

⁴ See Section 16(2) of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act')

Paragraph 206 of the Framework as harm to the significance of a designated heritage asset would not have clear and convincing justification.

Other Matters

16. Applications for listed building consent are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore development plan policies do not carry the same weight in this instance as when considering planning applications. Nevertheless, I note that the proposed works would be contrary to Policies LPP57 and LPP58 of the Braintree District Local Plan 2013-2033, which seek to ensure the significance of designated heritage assets are conserved and the demolition of listed structures only takes place in exceptional circumstances following a robust case being made.
17. I have carefully considered the previous appeal decisions⁵ at the site where limited harm to the significance of the listed building was identified, but the appeals allowed nonetheless. However, in that instance the wider public benefits of the project outweighed the harm. That would not be the case here. Moreover, the Inspector did not specifically address the significance of the Cottage. Although reference is made to the farmstead character still being evident despite a lack of an agricultural function, and the importance of the Victorian re-modelling. Accordingly, there is no inconsistency between my findings and those of the previous Inspector.
18. Historic England have not objected to the proposal but nor have they indicated support. Ultimately, I have come to my own views for the reasons given.

Conclusion

19. Given the above, I conclude that the works would fail to preserve the listed building. There are no other considerations or public benefits that would outweigh this harm. Thus, the proposal would fail to satisfy the requirements of the Act, the Framework and development plan policies insofar as relevant. Accordingly, for the reasons given, the appeal has failed.

Graham Chamberlain
INSPECTOR

⁵ APP/Z1510/W/22/3293154 and APP/Z1510/Y/22/3293159