



Appeal Decisions

Site visit made on 11 April 2024

by A Edgington BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2024

Appeal A Ref: APP/J1915/W/23/3334605

Piggotts Farm, Albury End, Albury, WARE SG11 2HS

- 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 Hollyhock Limited against the decision of East Hertfordshire District Council.
 - The application Ref is 3/22/2104/FUL.
 - The development proposed is Change of use of barns to Class E(g)(i) office use with insertion of windows/doors, new openings, insulation, re-roofing of Barns 1 and 2, and internal partitions with mezzanines to Barns 2 and 3. New car park, gates, new section of wall, bin store, cycle store, lighting, landscaping, and dedicated bat loft. Demolition of modern stables building and blockwork walls within the courtyard.
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Appeal B Ref: APP/J1915/Y/23/3334606

Piggotts Farm, Albury End, Albury, WARE SG11 2HS

- 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 Hollyhock Limited against the decision of East Hertfordshire District Council.
 - The application Ref is 3/22/2105/LBC.
 - The works proposed are Change of use of barns to Class E(g)(i) office use with insertion of windows/doors, new openings, insulation, re-roofing of Barns 1 and 2 and internal partitions with mezzanines to Barns 2 and 3. Creation of car park, gates with creation of wall, bin store, cycle store, lighting, landscaping and dedicated bat loft. Demolition of modern stables building and blockwork walls within the courtyard.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed and listed building consent is refused.

Preliminary Matters

3. There are two appeals before me. To avoid duplication, I have dealt with the appeals together where appropriate.
 4. The Council's conservation consultee notes that the site lies within the Albury Conservation Area but there is no supporting evidence to this effect. As such, I have not considered this further.
 5. I have used the barn numbering set out in the appellant's evidence in my reasoning.
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6. With regard to heritage assets, the Council has found harm only in relation to a new opening in Barn 3. However, in line with my statutory duties I have considered the effects of the development and works on all those assets.

Main Issues

7. The main issues are:

- Whether the development would preserve or enhance the Grade II listed Three Barns and Outbuilding to north of Piggotts Farmhouse, and the setting of the Grade II listed Piggotts Farmhouse and Boundary Wall to east (Appeals A and B);
- Whether the development would accord with local policies with regard to location (Appeal A);
- The effects of the development on the living conditions of occupiers of The Ridings with particular regard to noise and disturbance (Appeal A); and,
- The effects of the development on the character and appearance of the area (Appeal A).

Reasons

Heritage Assets (Appeals A and B)

Three Barns and Outbuilding

8. The 1842 Albury Tithe Map shows a farmstead with structures arranged around a yard area which corresponds more or less with the current layout and footprint of the barns, outbuilding and farmhouse. Although there are more modern sheds to the west, the listed barns and farmhouse remain as evidence of the early farming operations.

Barn 1

9. Barn 1 is a five bay timber framed double aisled barn, with external black weatherboarding above a rendered brick plinth. The main cart doors on the north elevation appear to be original and have ironmongery typical of the 17th and 18th centuries. Shutters and openings on the east elevation also appear to be original. Given the likely purpose of the barn when built, the large opening door on the west elevation is likely to have been a later addition, and it has 20th century doors.
10. Internally the timber framed aisled structure has many authentic features including arcade posts, tie beams, arcade plates, some of the arch braces and aisle ties, some wall posts and sill beams. However, I noticed significant areas of machined timber in the wall framing and rafters and this is confirmed by observations in the heritage statement and from the Council.
11. Barn 1 is a plain structure whose overall form and typology reflects its age and its agrarian context, and the use of local materials. Its significance arises from its simple functional form with a limited number of openings, the retained historic fabric and its spatial relationship with Barns 2 and 3, the outbuilding and the farmhouse. It also makes a contribution to the setting of the other listed buildings enclosing the inner yard.

Barn 2

12. Barn 2 is a four bay timber framed aisled barn dating from the 18th century and which retains its original principal frame structures and evidence of brick flooring. However, the timbers in the walls and roof have been substantially replaced, and the north and south elevations are formed of modern brickwork. The other elevations are clad in black weatherboarding. There are two openings, a large barn door in its original location and a modern window in the southern elevation, with evidence of a former winnowing door on the east elevation.
13. Barn 2's significance arises from its simple form which reflects the local vernacular, and such retained historic fabric as remains. It also contributes to the setting of Barns 1 and 3, the outbuilding and the farmhouse.

Barn 3 and outbuilding

14. Barn 3 is the largest barn. Its southern and principal elevation faces the inner yard and the central midstrey gives it an imposing presence. It also dates from the 18th century and has black weatherboarding above a rendered concrete plinth and slate roof. Although the main doors are modern, they are traditionally located in the midstrey, and there is a winnowing door on the opposing wall.
15. Internally, the five bay single aisled threshing barn structure remains largely in place although the aisle ties and roof trusses have been largely replaced, along with wall framing on the north elevation. However, the east and south elevations have retained a large proportion of the original timber structure as well as some lath and plaster.
16. The outbuilding is an eight bay single storey structure attached to Barn 3's east elevation and dates from the 18th century. The four bays closest to Barn 3 are open shelters with timber posts, but the remaining four bays have been infilled with brickwork to form separate compartments with stable doors and windows.
17. The significance of Barn 3 and the outbuilding is derived from their overall form and retained historic fabric, which reflect the development of the agrarian economy and their contribution to the farm's development over time. Barn 3 and the outbuilding also contribute to the setting of Barns 1 and 2 and the farmhouse.

Piggotts farmhouse and boundary wall

18. The two-storey farmhouse has a charming red brick and symmetrical principal elevation with a central door, bay windows on the ground floor and sash windows above, all beneath a red tile pitched roof with brick chimney stacks. To the rear, two projecting wings with plastered walls and casements present with less formality and a typology suggestive of organic growth. It seems likely that the front red brick range was a later Victorian extension or conversion. Whereas the farmhouse's rear and side elevations abut the inner yard, the front elevation is enclosed by a brick boundary wall which contains a small garden and mature trees, and provides clear differentiation between operational and domestic activities.
19. Notwithstanding the aesthetic value of the farmhouse, the evidential value arising from the built extensions and alterations reflect both the farm's

prosperity and changing architectural fashions. Its significance is derived from its retained historic fabric, its overall design and largely undeveloped appearance, and its position within the original yard layout as the hub of the farm. It also contributes to the setting of Barns 1, 2 and 3 and the outbuilding.

Three Barns and Outbuilding – Proposals and effects

Barn 1

20. Each barn would be converted to office accommodation. In Barn 1 the existing openings would be glazed, the external insulation would require the replacement of the timber weatherboarding, and the internal sloping floor would be dug out to form two level sections.
21. The timber weatherboarding is considered in the heritage statement to be of high significance, although it is unclear whether this is derived from its age or its contribution to the barn's overall appearance. There seems to be a presumption in the evidence that the existing weatherboarding will be removed and replaced. This will slightly increase the barn's dimensions above the plinth. Moreover, the existing weatherboarding does not look particularly robust in some areas and even if it could be removed without damage, new material would be needed. In addition, the excavations to create a level floor would cause damage to the plinths to the main doors and the threshing board.
22. As such, the conversion would result in some loss of historic fabric. However, the barn's overall form, and its contribution to the appreciation of the original farm layout would remain. Nonetheless, there would be a loss of significance which would amount to less than substantial harm.

Barn 2

23. In Barn 2 a new entrance would be provided in the northern elevation, which is itself a 20th century construction. There would be additional windows, and rooflights and the winnowing door and boarded up windows would be reinstated. The large barn doors would be glazed. Internally, there would be two freestanding mezzanines.
24. As there has been significant modern intervention to the barn's outer frame, the insulation would be fixed internally, and the weatherboarding would remain. Although the Council raised a concern in relation to an internal wall, the appellant has confirmed that this would be largely glazed and as such would retain the barn's underlying openness, which is a key feature in the assessment of significance.
25. The conversion would result in some loss of historic fabric and the introduction of new openings and glazing but the barn's overall form and its contribution the setting of the farm's other listed buildings would be retained.
26. The works would also include the removal of a wall currently attached to Barn 2, which creates an enclosure. This demolition would enhance the settings of the barn and the farm layout as a whole, but to a minor degree only.
27. Nonetheless, even taking this minor benefit into account the loss of historic fabric would diminish significance and amount to less than substantial harm.

Barn 3 and outbuilding

28. Barn 3 would have a combination of internal and external insulation, as well as freestanding mezzanines but views to the roof would remain, giving a true sense of the height and scale of the internal void.
29. The barn's eastern elevation, which retains much of the original timber framing, would be breached by the insertion of a door to access the outbuilding and the pedestrian route to the car park. The argument is advanced that creating an entrance to Barn 3 in this location avoids conflict with the domestic activities of the farm. However, the route through the outbuilding to Barns 1 and 2 accesses what appears to be a large paved area in front of Barn 3's principal elevation. People would be using this area anyway and consequently the argument that the eastern elevation provides the only suitable entrance to Barn 3 is less than compelling, particularly as other options would be available, not least the doors within the midstrete. As I can see no convincing conflict between the farm's activities and access to Barn 3 through any of its existing openings, the removal of historic fabric on the east elevation appears unnecessary.
30. The western end of the outbuilding, where it abuts Barn 3, would be used as an open entry from the car park to facilitate through access. The brick compartments would be opened up internally, and the existing door and window openings glazed. The loss of historic fabric would reduce significance and amount to less than substantial harm.

Piggotts Farmhouse – proposals and effects

31. The insertion of glazing and additional rooflights, along with the car park, paving and cycle store would clearly indicate that the three barns and outbuilding were no longer used for agriculture. This would diminish the largely undeveloped character and appearance of the original farmyard. However, although the side of the farmhouse forms one side of the yard's enclosure, I am satisfied that the proposals would have a negligible to minor adverse impact on the farmhouse's setting. As such there would be a broadly neutral impact on the farmhouse's significance.

Car park – proposals and effects

32. When viewed from the north, the long rear elevation of Barn 3 and the outbuilding are a notable feature in what is otherwise a broad open landscape, and these buildings themselves screen views of the inner yard. Barn 3 and the outbuilding are also partially obscured by a narrow belt of trees. The site of the proposed car park, which is currently open field, forms the foreground to these views and contributes to the overall setting of Barn 3 and the outbuilding, as well as to a far lesser extent, the other listed buildings.
33. However, as the listed buildings are essentially inward looking and relate directly to each other and the farmhouse, I am satisfied that the car park site makes only a minor contribution to the setting of the listed buildings. As such, although the car park would intrude into this setting and cause some loss of significance to those settings, I conclude that this would fall at the lower end of less than substantial harm. My reasoning with regard to the effect of the car park on the character and appearance of the area is considered later.

Heritage conclusion

34. The proposals would fail to preserve or enhance Barns 1, 2 and 3 and the outbuilding. This amounts to less than substantial harm. There would also be a diminution of the setting of Barn 3 and the outbuilding but this would be at the lower end of less than substantial harm.
35. As such, the development and works would conflict with S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Act) (the Act) which taken together require the decision maker to have special regard or to pay special attention to, preserving or enhancing listed buildings or their settings. There would also be conflict with LP Policy HA7 which sets out to ensure that the historic fabric and settings of listed buildings is preserved and LP Policy HA1 and Section 16 of the Framework which are concerned with the safeguarding of heritage assets. The Council has also cited LP Policy HA4, but this is concerned with conservation areas only and as such weighs neither for nor against the appeal.
36. The heritage balance is considered later in my reasoning.

Location

37. Policy ED1 and LP Policy ED2, taken together, support new employment uses, including the expansion of existing businesses in the rural area where they are appropriately and sustainably located. LP Policy ED1 also sets out that there is an expectation that such development would enable access by a choice of sustainable transport options.
38. The development would provide office accommodation for around 70 people. The site is in a rural location and a few miles by road from the small town of Bishops Cleeve. The surrounding area is criss-crossed by country lanes but the two lane A120 which links Bishops Cleeve to the wider road network, is a short distance away.
39. The transport statement¹ notes that there are few surveys on the TRICS database that are similar to the proposals in terms of location, use and size. It has therefore used the TRICS survey data used in an application for a similar development at Church End Farm which, it is stated was agreed with the highway authority. This was also for a large office building. During the appeal I asked for this report to be provided². However, this report also concludes that for Church End Farm, there were no comparable datasets to be found on the TRIS database. As such average trip rates were selected from ten chosen sites that were not comparable. It is stated that this was the approach taken on another planning application, which from its references, appears to date from 2016.
40. TRICS sets out a spectrum of locational filters for its trip generation survey data. These are *free standing, edge of town, suburban area, neighbourhood centre, edge of town centre and town centre*. The datasets used for the Church End Farm report, and thus for this development, have been derived from sites with the locational filters of *suburban areas* and *edge of town*. The secondary filters include sub-categories of *residential zone, built-up zone, commercial zone and industrial zone*. Irrespective of whether the highway authority

¹ Icenj, March 2022

² Bancroft Consulting, May 2018 – Church End Farm

considered this data to be relevant to the application for Church End Farm, my understanding of the descriptions of the locational data is that they are not relevant to this particular site which is in a fairly remote, strongly rural and agricultural location.

41. Moreover, there is nothing before me to indicate whether there are any public transport options for the sites included in the source datasets for the Church End Farm report. Furthermore, the Church End Farm data is now some years out of date, and the source datasets are even more outdated. As such, I am unable to conclude that the data used for the trip generation for this appeal is realistic, particularly as there is nothing before me to indicate where future visitors or employees might be travelling from.
42. It is suggested that the site entrance would be a short distance from what appears to be a looped recreational and commuting route which links Bishops Stortford to rural lanes to the north-west. Whilst I accept that some future workers or visitors to the site might be regular cyclists, these lanes are unlit, often quite narrow and it seems unlikely that they would be used for regular commuting to the site by more than a minority of visitors or future employees, even if showers were to be provided. There also appears to be a presumption that cyclists would be travelling from Bishops Stortford as the route is a closed circuit which links the town to nearby countryside.
43. As such, for the reasons set out above I conclude that the transport report does not appear to have based potential trip generation on the site's specific location and lack of transport options. It significantly underestimates likely trip generation and significantly overestimates the likelihood of future employees regularly using cycling to commute. Future employees and visitors would be likely to be travelling to the site from the many small and medium towns in the wider area and there would not be sustainable transport options.
44. The development would therefore fail to accord with LP Policies ED1 and ED2 with regard to location, as set out above. It would also conflict with Paragraph 109 of the Framework which requires the planning system to actively manage patterns of growth in support of the objective of sustainable transport options. I acknowledge that Paragraphs 109 and 89 of the Framework note that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found in locations that are not well served by public transport and that transport options may vary. However, there is very little before me to indicate that there is a business or community need for the development.
45. There would also be conflict with LP Policy GBR2 which states that new employment generating uses will be supported in rural areas beyond the Green Belt, provided they are sustainably located. I have concluded that this new employment use would not be sustainably located. I have also found conflict in relation to LP Policy TRA1 which sets out that development proposals should ensure a range of sustainable transport options.
46. The Council has cited LP Policy TRA3 but this is concerned with parking provision. Although I have considered the car park later in my reasoning, it weighs neither for nor against the appeal with regard to location. The appellant has set out that cycle stores, showers and EV charging would support sustainable transport options and encourage the use of electric cars. However, these benefits carry minor weight in favour of the appeal and do not alter my

overall reasoning with regard to the likely number of commuters, and the lack of realistic transport options.

Noise and disturbance

47. The Ridings is a detached dwelling on a large plot opposite the appeal site. I have set out above that I give the projected trip generation figures limited weight and as such, it seems likely that there would be a significant increase in vehicular traffic associated with the development, with attendant noise and disturbance. I acknowledge that there is permission for a grain store but agricultural vehicular movements and noise are to be expected in this context. The frequency and nature of commuter traffic and deliveries would be different from that associated with farm operations, and in any case would be over and above those additional agricultural trips.
48. The Ridings is set back from the road, and is not directly opposite the farm entrance. Although there would be some adverse impact on the living conditions arising from noise and disturbance, I give this harm minor to moderate weight only.
49. I appreciate that there would be opportunities to screen the car park with planting, and there is already a new boundary hedge planted. However, there is nothing before me to indicate that the hedge or any other planting would provide an effective acoustic screen. In any case screening within the site would not alter the noise and disturbance arising from traffic on the road.
50. Nonetheless, there would be conflict with LP Policy DES 4 which is concerned with the amenity of occupiers of neighbouring properties. The appellant raises the argument that the policy sets out the test of significant harm in this regard. This would be a higher test than that set out in the Framework, which, in Paragraph 135 requires a high standard of amenity, and as such LP Policy DES4 is more restrictive than the Framework. Given the LP's age, I give this policy less than full weight. In any case, the road separating the farm and The Ridings appears to carry very little traffic at the moment and it would be unreasonable to expect this situation to persist in perpetuity. As such, I give the policy conflict with regard to noise and disturbance minor weight only.

Character and appearance

51. The car park would be in a visible location from the public domain and would appear incongruous in this rural and agrarian setting. It would have 23 bays which appears to be in line with the Council's guidance in this regard. However, even based on the trip generation figures, to which I give very little weight, the projected movement of vehicles indicates that the car park would not accommodate all vehicles. Moreover, given the number of work spaces and the lack of realistic alternatives to vehicular access, it seems very likely that the demand for parking would outstrip supply, leading to parking outside the designated car park bays.
52. The car park would result in increased urbanisation to the site even if it was sufficient to accommodate all likely vehicles. There would also be a change in the nature and frequency of vehicles using the site and an increase in comings and goings. This would have an adverse effect on the character and appearance of the area. However, there would be sufficient space between the

car park and the road for additional planting which could mitigate the adverse visual effects of the car park to some extent.

53. Nonetheless there would be conflict with LP Policy GBR2 which is concerned with Rural Areas Beyond the Green Belt and which requires development, including those generating new employment, to be compatible with the character and appearance of the rural area.
54. The Council has also cited LP Policies HA1 and HA7, which are concerned with heritage assets. However, I have set out my reasoning with regard to the setting of the heritage assets elsewhere. In this regard these policies weigh neither for nor against the appeal with regard to character and appearance

Other Considerations

55. The argument is advanced that there would be biodiversity benefits. However, as the confirmed bat roosts in the barn would be displaced if the appeal was allowed, the provision of a bat loft is to be considered as compensation for that loss rather than a benefit and I give this neutral weight. Having reviewed the ecology report I also conclude that the proposed bird boxes are mitigation for the loss of nesting sites within the barns and outbuildings, and that there would not necessarily be a net benefit. Although the hawthorn hedge is proposed as a benefit, this already exists. The introduction of flowering lawns, native climbers and fruit trees carries little weight only in favour of the appeal as they are unlikely to contribute to biodiversity to more than a very minor extent.
56. There would also be some rationalisation of areas around the inner yard. However, although this might give a smarter appearance, the barns' setting in heritage terms is derived from the yard's austere and functional appearance. The introduction of landscape features unrelated to the agricultural context would not enhance the settings of these assets. Moreover, improvements to roof materials and rainwater goods on the barns themselves could be carried out independently of their conversion.

Other matters

57. Other concerns have been raised by interested parties but as I have found harm in relation to the main issues there is no need for me to consider these further. I also note that there is support for the proposals, but this does not alter my reasoning.
58. There are other listed buildings in the wider area but I am satisfied that the development would not have an adverse effect on their settings.

Heritage and Planning Balance

59. LP Policy HA1 states that where there would be less than substantial harm to designated heritage assets, this should be weighed against the public benefits of the proposal. This accords with Paragraph 208 of the Framework.
60. The barns are used for storage and do not appear to be functionally related to current farm operations. A future business use would provide an incentive and income source to ensure ongoing maintenance and secure a viable future for the barns, to which I attach considerable weight. The proposals would also provide new employment in a rural area which would have some public benefits. However, it is unclear whether there is a need for offices of this size in

rural locations in general, or in this location in particular, which limits the weight I afford to public benefits arising from additional office space.

61. Moreover, in addition to the harm in relation to heritage assets, I have found considerable conflict with the local development plan and the Framework, arising from the creation of what is a fairly large employment base in a rural location with very restricted transport options. That harm in relation to location is reinforced by the minor harm arising from living conditions and the character and appearance of the area, as set out above. On balance the combined harm in relation to heritage assets, location, noise and disturbance, and character and appearance, would not be outweighed by the heritage and other public benefits.
62. I have given no weight to the demolition of the modern stable block as this has already been largely removed and as such its demolition is clearly not predicated upon the proposals contained in this appeal. The demolition of a blockwork wall attached to Barn 2 would have only a very minor impact on the settings of Barns 1, 2 and 3 and the farmhouse. Consequently, its removal carries very minor weight in favour of the appeal.

Conclusion

63. In the light of the above I conclude that the proposals would conflict with the Act, the local development plan and the Framework, and although there would be public benefits, they are of insufficient weight to lead me to conclude otherwise.
64. Appeal A is dismissed.
65. Appeal B is dismissed and listed building consent is refused.

A Edgington

INSPECTOR