



Appeal Decision

Site visit made on 20 May 2024

by J Moss BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 September 2024

Appeal Ref: APP/F1610/Y/23/3336040

**Lower Farmhouse Barn, Great Rissington, Cheltenham, Gloucestershire
GL54 2LH**

- 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 Andrew Fleming against the decision of Cotswold District Council.
 - The application Ref is 22/01987/LBC.
 - The works proposed are described on the forms as: Proposed hall and display area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are whether or not the proposal would:
 - preserve the Grade II listed building known as Lower Farm House or any features of special architectural or historic interest which it possesses; and
 - preserve or enhance the character or appearance of the Great Rissington Conservation Area.

Reasons

Special interest and significance

3. The appeal site is occupied by the Grade II listed Lower Farm House, which is a vernacular, early 19th Century building with associated subordinate outbuildings, which includes the appeal building.
4. The appellant's heritage statement suggests that the building subject of the proposed works is not listed, rather that it is a building that falls within the setting of the farm house. Notwithstanding this, in his appeal statement the appellant says that Lower Farmhouse Barn is located within the curtilage of Lower Farm House.
5. Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (the 1990 Act) states as follows:

"listed building" means a building which is for the time being included in a list compiled or approved by the Secretary of State under this section; and for the purposes of the Act-

(a) any object or structure fixed to the building;

(b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948,

shall, subject to subsection (5A)(a), be treated as part of the building.'

6. There appears to be no dispute that the building subject of the proposed works is located within the curtilage of the farm house. Indeed, having regard to the proximity of the building to the farm house, and the enclosure of the building with it, I can only conclude that the building is within the curtilage of the farm house. The evidence also indicates that the building has formed part of the land since before 1 July 1948. Whilst the building may not be mentioned in the listing description for Lower Farm House (list entry number 1340875), listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest, including any contribution made by curtilage listed buildings.
7. For the reasons given above, the subject building is regarded as part of the listed building for the purposes of the 1990 Act and for the purposes of this appeal.
8. From the evidence before me, the special interest and significance of the listed building is largely derived from its historic and architectural interest. The listing description refers to the farm house with course limestone rubble and a gabled stone slate roof with stone coped gable ends. Although the roof and the rear elevation of the main two storey section of the farm house has been altered with the addition of a flat roof enlargement, the elements referred to in the listing description are still legible to a degree, particularly when viewed from the front elevation. The right wing to the rear of the building appears to be largely unaltered and, despite the rear enlargement, the historic form of the building is still legible. Still in residential use, the building has also retained the character of a traditional farm house, to a degree.
9. In addition to the above, and pertinent to the, the special interest and significance of the listed building also stems in part, from the contribution made by the associated outbuildings (which include the appeal building) and their value as a group. The subject building has a simple form that is commonplace for such buildings within the curtilage of a historic farm house, such as Lower Farm House. It has a two storey element with first floor accommodation partly within the roof. It has a simple centrally ridged roof and its gable end forms the boundary of the site. Together with this is a single storey wing projecting along the site boundary. Its centrally ridged roof peaks just below the eaves on the two storey element. Although the outbuilding does not include the stone coped gable ends evident in the farm house, its construction nevertheless includes course limestone rubble and a slate roof. The single storey wing of the outbuilding has an angled gable end that follows the site boundary as it turns in line with the curve of the highway. These elements contribute to the architectural interest of the listed building.
10. The elevation of the single storey wing facing into the site has a rough timber clad finish with window frames and glazing matching that used elsewhere in the building. Whilst this timber façade fulfils the purpose of filling this open elevation of the single storey wing, I do not find it to be a finish that is authentic to the building. This element does not contribute to the listed building's special interest.

11. The subject outbuilding is within very close proximity to the farm house and shares the open space to its rear. Although most of the land surrounding the appeal site no longer appears to be associated with the collection of buildings at Lower Farm House, the outbuilding and the farm house are clearly enclosed together, with a third garage outbuilding. The layout of the subject outbuilding, its openings and orientation towards the rear of the farm house and the farm house yard indicate its historic agricultural purpose and use, as well as its close association with the Lower Farm House. Accordingly, the historic layout of the appeal site and association of the buildings within it are still very much legible. These are matters that contribute to the historic interest of the building.
12. The appeal site sits within the Great Rissington Conservation Area (GRCA). I acknowledge that there is little published information regarding the GRCA. Nevertheless, from the evidence before me and my observations on site, I find the special interest of this heritage asset is both architectural and historic. The GRCA is clearly a historic rural settlement and within it is a fine collection of historic rural cottages and buildings with a former agricultural use. Most buildings sit close to the highway, in a close knit arrangement. These buildings and the layout of development within the GRCA are contributors to the historic interest of this heritage asset. The architectural interest of the GRCA includes the variety found in the vernacular architecture in the village, as well as the prevalence of local materials, including limestone and stone slate.
13. The collection of buildings comprised in the Lower Farm House listed building are particularly prominent within this part of the GRCA. Due to the curve of the road around the appeal site, the farm house and the subject building are highly visible and their historic relationship is clearly legible from views outside of the site. The buildings occupying the appeal site are a good example of a historic farm complex, which demonstrates the close relationship between the farm house and agricultural buildings within its curtilage. For this reason the appeal site makes a positive contribution to the historic and architectural interest of the GRCA and, therefore, its significance.

The effect of the proposal

14. Paragraph 205 of the National Planning Policy Framework (the Framework) informs 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 say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
15. The scheme proposes the addition of an enlargement of the building along the south facing elevation of the single storey element, although it appears that the existing elevation would be retained behind the enlargement. The enlargement would have some stone elements, but the plans indicate that the external walls would be primarily clad in green oak boarding. I acknowledge the effort to repeat the green oak cladding materials used in the existing single storey element of the building. However, the extent of cladding proposed to provide the enlargement would, in my judgement, dominate the building when viewed from within the farm house yard and from the adjoining highway.

16. The roof would be constructed of three gables projecting from the existing south facing roof slope, with flat roof sections between and either side of the gables. When compared to the simple form of the existing building, the gables and flat roof sections would result in an elaborate roof design, which would be overtly domestic in its appearance. The scheme would, therefore, be out of keeping with the simple design of the existing building.
17. The simple form of the existing building reflects its historic function, which is still legible. The design of the proposed enlargement would adversely affect this simple form and, therefore, an appreciation of the building's historic function. This in turn would affect an understanding of the building's historic association with the Lower Farm House, disrupting the primacy of the main farmhouse building and altering the historic subordinate role of the barn within the group. In doing so, it would diminish the contribution that the barn makes to the special interest and significance of the heritage asset.
18. Whilst it appears that the proposal would not result in the substantial loss of historic fabric, it would cover the vast majority of the large ground floor opening in the two storey element of the building. Again, these works would affect the ability to appreciate the building's historic function.
19. Having regard to all of the above, the proposal would not preserve the Grade II listed building, Lower Farm House, or any of the features of special or historic interest that it possesses. I conclude as such, having regard to the requirements of sections 16(2) of the 1990 Act. Accordingly, the works would cause harm to the special interest and significance of the listed building.
20. In addition to the above, and contrary to the appellant's claims, the proposed works to the subject building would be highly visible from views outside of the site, particularly from the adjoining highway. The adverse effect of the works to the subject building and the affect the scheme would have on the understanding of the building's historic association with the farm house would mean that the proposal would have an adverse effect on the contribution the appeal site makes to the character and appearance, and thus the special interest of the GRCA. For this reason, and having regard to the requirements of section 72(1) of the 1990 Act, the scheme would fail to preserve the GRCA when considered as a whole and cause harm to the significance of this designated heritage asset.

Public benefits and heritage balance

21. Due to the nature and extent of the proposal, I find the harm caused to the significance of the designated heritage assets would be individually and cumulatively less than substantial. In these circumstances, paragraph 208 of the Framework informs that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
22. The appellant suggests that the scheme would support rural businesses. Whilst there is little evidence of the support it would provide, I note that this may relate to the use of the building and the proposed addition as a workshop. In addition to this, I acknowledge the economic benefit that would result from the construction phase of the proposal. Although these matters can be regarded as

public benefits, they would attract limited weight in view of the scale of the works proposed.

23. I cannot regard the enhancement of the internal space within the building as a public benefit. I am, however, mindful that securing the listed building's optimum viable use should weigh in the balance. In this regard, whilst the works might well make the building 'more usable and fit-for-purpose for future generations', it is not suggested that the use of the building for its current purpose would not continue without the proposed works.
24. All of the above considered, I cannot be satisfied that any clear and convincing justification exists for the identified harm to the significance of the designated heritage assets in this case. The Framework makes clear in paragraph 205 that great weight should be given to the conservation of a heritage asset. The public benefits I have identified are not sufficient to outweigh the harm that would occur to the Grade II listed building and the GRCA.
25. For the above reasons, I conclude that the works would fail to preserve the Grade II listed building known as Lower Farm House and the features of special or historic interest that it possesses. The works would also fail to preserve or enhance the character or appearance of the GRCA. Accordingly, the proposal would conflict with chapter 16 of the Framework.
26. Although not referred to in the reason for refusal of the application, my attention has been drawn to certain policies of the Cotswold District Local Plan 2011-2031, Adopted 3 August 2018. Applications for listed building consent are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Accordingly, development plan policies do not carry the same weight as they would when considering planning applications. I have, nevertheless, considered these policies as a material consideration in my determination of the appeal. Whilst I acknowledge that some refer to 'development', they are still of relevance in this case.
27. The relevant policies include Policy EN1, which requires, amongst other matters, that new development protect and enhance the existing historic environmental assets; Policy EN2, which informs that proposals should be of a design quality that respects the character and distinctive appearance of the locality; Policy EN10, which states that proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm; and Policy EN11, which permits development that would affect Conservation Areas and their settings provided, amongst other matters, it preserves and where appropriate enhances the special character and appearance of the Conservation Area in terms of siting, form, design, and materials. For the reasons already given, I find the proposed scheme to conflict with these development plan policies.

Other Matters

28. The appellant suggests that the works would not cause harm to the landscape and scenic beauty of the Cotswolds National Landscape (formerly an Area of Outstanding Natural Beauty). The effect of the development on this National Landscape is not a matter to be considered within the remit of this appeal.

Conclusion

29. For the reasons given, I conclude that the appeal should be dismissed.

J Moss

INSPECTOR