



Appeal Decisions

Hearing held on 6 August 2024

Site visit made on 6 August 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 5 September 2024

Appeal A Ref: APP/V0510/W/24/3339409

Pratts Green Farmhouse, Pratts Green Farm, Malting End, Kirtling, Cambridgeshire CB8 9HH

- 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 Mr Richard Lawton against the decision of East Cambridgeshire District Council.
 - The application Ref is 23/01116/FUL.
 - The development proposed is refurbishment and single extension of existing farmhouse. Demolition of existing (non-historic) extension. (Resubmission following withdrawal of 22/00682/FUL).
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Appeal B Ref: APP/V0510/Y/24/3339408

Pratts Green Farmhouse, Pratts Green Farm, Malting End, Kirtling, Cambridgeshire CB8 9HH

- 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 Richard Lawton against the decision of East Cambridgeshire District Council.
 - The application Ref is 23/01117/LBC.
 - The works proposed are refurbishment and single extension of existing farmhouse. Demolition of existing (non-historic) extension. (Resubmission following withdrawal of 22/00682/FUL).
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Decisions

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

Preliminary Matters

3. There are two appeals on this site. They relate to the planning application and listed building consent for the same scheme. To avoid duplication, I have dealt with them together, except where otherwise indicated.
4. I have a statutory duty under sections 16(2) and 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. Paragraph 195 of the National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

5. At the hearing, both parties agreed that, in relation to these appeals, the new Written Ministerial Statement entitled 'Building the Homes We Need' and the consultation on planning reforms to the Framework did not fundamentally affect the substance of the matters under appeal.
6. Prior to the hearing, the appellant requested consideration of two legal cases relating to the balance between heritage harm and benefits¹. The appellant's legal representative advised at the hearing that the *Juden* judgment demonstrated the need to reach a holistic judgment considering all aspects of the proposal together; a case already referred to in the appellant's Statement on Heritage. He also advised that the *Kay* judgment illustrated the need to consider beneficial and harmful components even if some elements could be carried out separately. As these cases are relevant to the matters before me, and no parties would be prejudiced by my taking them into account, I have considered them in my decision.
7. During the hearing, the Council explained that the reference to the effect on the character and appearance of the locality cited in both decision notices related to the immediate environment in which Pratts Green Farmhouse is viewed rather than any wider effect on the character and appearance of the area. It was therefore not necessary for me to add an additional main issue to consider character and appearance more widely.

Main Issue

8. The main issue in relation to both appeals is whether the proposal would preserve the special architectural or historic interest of the Grade II listed building, Pratts Green Farmhouse, and the setting of the Grade II listed building, Ash Leas, and whether their significance as heritage assets would be preserved.

Reasons

Special interest and significance

9. Pratts Green Farmhouse (the Farmhouse) is a Grade II listed building (Ref.1126286). It is a timber framed cottage with pargetted plaster panels and has a thatched roof. The list description explains that the building dates from the 16th century with a late 17th century extension to the east. It mentions the L-shaped plan form, with the earliest part being a three-unit plan and of one storey with an attic. The later part is a lobby entry two-unit plan and is of two storeys. The description also mentions the design and arrangement of windows and doors, together with noting ceiling beams and inglenook hearths internally.
10. The building has a relatively modern, single storey, flat-roofed extension to the west. Although its form, construction and appearance do not respect that of the historic building, it is a relatively small addition which sits beneath the thatched roof. It is most noticeable in relatively close views of the building from the road. However, given its relatively small size, matching walling finish, its position on the building furthest from the road and its low height not disrupting the roof profile, it does not detract from the overall appearance of the building to any great extent. Furthermore, when viewed from longer range viewpoints,

¹ *R. (Juden) v the London Borough of Tower Hamlets* [2021] EWHC 1368 (Admin), *Kay v SSHCLG* [2020] EWHC 2292 (Admin) at [39] – [43].

including from many points within the garden, it is not especially prominent as it visually merges with the building.

11. From the details before me, including the list description, and my visit, I consider that the special interest and significance of the listed building, insofar as it relates to these appeals, is largely derived from its age, form, function, historic fabric, and architectural features.
12. The Farmhouse fronts Malting End, with a front garden, partly enclosed by a flint and brick wall. From the roadside, close views are afforded of the front elevation of the Farmhouse, and its L-shaped plan and features can be appreciated, especially views across the flint boundary wall where there is little planting filtering those views. These views contribute positively to the building's special interest and significance. The farmhouse has a much larger and relatively open garden to its western and southern sides enclosed by mature hedging. Even though much of the land to the rear is now a more recent domestic garden, this relatively open vantage point allows clear views of the side and rear of the Farmhouse and enables an appreciation of its form and detailing. Except for the flat-roofed extension, from this garden viewpoint, I saw that the building retains an historic simplicity and authenticity with few features which detract from its special interest and significance.
13. The historic maps in the appellant's Statement on Heritage illustrate that the Farmhouse was previously part of Pratts Green Farm. These maps show the historic arrangement of buildings and boundaries, with the farmhouse to the west and a loose courtyard arrangement of farm buildings to the east. This farmstead arrangement is still partially legible with the main barn 'Ash Leas' as well as some of the historic boundaries still extant. These buildings and features along with the surrounding agricultural landscape reinforce the function and origins of the farmstead. This wider agricultural context contributes positively to the environment in which the Farmhouse is appreciated and experienced.
14. Ash Leas is a Grade II listed building (Ref.1331814), which is now converted to a dwelling. The list description mentions that the building is a late 16th century timber framed barn, clad in weatherboard with a thatched roof. It is of four bays, aisled, with boarded doors. Based on the evidence before me, including the list description, and my own observations, I consider that the special interest and significance of Ash Leas, insofar as it relates to these appeals, is largely derived from its age, form, function, historic fabric and detailing.
15. Ash Leas is of significant form and scale compared to the Farmhouse and stands forward of it on the roadside. From the roadside, the barn's agricultural origins can be clearly read. Furthermore, the building's agricultural setting and its historic association with the Farmhouse can be understood and this context contributes to the special interest and significance of Ash Leas. From the rear garden of the Farmhouse, I saw during my visit that there were some distant, glimpsed views of Ash Leas through a mature hedge. Whilst these views help reinforce the agricultural context of Ash Leas and the interrelationship between the buildings, they make much less of a contribution than the roadside views.

Effects of the proposal

16. The proposal would involve the construction of a single storey extension to the rear of the Farmhouse, together with the demolition of the existing flat-roofed

extension, and alterations, repair and upgrading works to the building.

Paragraph 205 of the Framework sets out 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 advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification.

17. The extension would be sited at right-angles to the rear wall of the Farmhouse, connecting via a relatively short structural glass link, and using an existing double door. The walls would be largely clad in horizontal timber boarding with a glazed gable end with timber slats overlaying the upper part and sliding aluminium framed doors below. The glazing would extend across a significant part of the western elevation and the building would have a zinc roof.
18. In the context of the existing vernacular Farmhouse, whilst there would be no apparent loss of historic fabric and the glass link would avoid disrupting the thatched roof, the proposed extension would be a marked departure from the well preserved, historic L-shaped plan form. The building would be extended in an unexpected direction on an elevation which is currently without any appreciable additions or detracting features. Nor would there be any other nearby buildings or structures beyond the rear building line to provide any context or filtering of views of the extension. The extension would also have a relatively large footprint in relation to the existing ground floor of the farmhouse and when taking account of the link and body of the extension, its length would not be much shorter than the historic 2-unit plan addition.
19. Whilst the extension would have a similar width to the gables of the existing building, and would have a similarly proportioned roof, including its pitch, its low eaves height would make the roof a visibly dominant and sizeable addition. Therefore, although subordinate to the main dwelling overall, the extension would be visually dominant because of its length, and the massing of its roof would make it appear inordinately tall alongside it.
20. The contemporary design and use of modern materials would make the extension appear distinct and of design interest. However, I was not made aware of any similar materials on the farmhouse or given adequate reasons why they would be complimentary or appropriate. They may well be more reflective of traditional agricultural buildings but with this appeal proposal it is the Farmhouse being extended and not an agricultural building. These materials would further exacerbate the visual harm and inappropriateness of the appeal proposal. Furthermore, the extent of the proposed glazing in the extension would contrast with the solid to void ratio of openings to walling on the existing Farmhouse. These openings would also enable much of the normally screened trappings of domestic life to be to some extent visible from the outside, causing an additional distraction from the ability to appreciate the special interest and significance of the Farmhouse.
21. All in all, the extension would represent a large, conspicuous, and awkward adjunct to the listed building which would detract and draw the eye and mask views of the historic elevations from many points within the garden. The extension would disrupt the legibility of the building and introduce a large element at the rear that would visually compete with it. I therefore consider

that the proposed extension would have a considerable, adverse impact on the special interest and significance of the listed building.

22. The principle of a glazed link may be an approach advocated in Historic England guidance² and the Council's Supplementary Planning Guidance³ to assist with maintaining the visual integrity of the original building and touching the existing fabric lightly. However, each building is different in its capacity to accept change and in practical terms any sense of visual separation between the proposed extension and the building because of the link would be minimal. This being so, the glazed link would do very little to improve the legibility of the historic building or counteract the harm I have identified.
23. Although the extension would be largely hidden from public view, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views are available. Equally, the significance of a listed building is not just focussed on frontages. Therefore, although the extension would be unlikely to be seen from the road it would be clearly viewed from multiple directions in the relatively open garden setting, and the harm I have found would be very apparent in this context. Furthermore, whilst theoretically the proposal would be reversible, due to the financial outlay and facilities to be provided it would be unlikely to be removed.
24. From what I saw on site I was not convinced that there would be any intervisibility between the proposed extension and Ash Leas, even if in future the boundary hedging was reduced in height or thickness. Therefore, I am satisfied that, based on the information before me and my visit, that the contribution that the setting makes to the significance of Ash Leas would not be detrimentally affected by the proposed extension.
25. In relation to other aspects of the appeal proposal, the demolition of the flat-roofed extension would clearly be a heritage benefit, enhancing the integrity and authenticity of the Farmhouse. However, I have already noted that this extension is of small scale and is not unduly harmful in the context of overall views of the building. I therefore attach the removal of this structure limited weight as a heritage benefit.
26. Both parties recognise that the building is in a dilapidated condition, and I saw on site that the building is not being permanently lived in. The repair and renovation work would include the repair or replacement of windows and doors, replacement of impervious renders and mortars with breathable alternatives, the repair and strengthening of the timber frame and roof structure, and thermal upgrading including the addition of limecrete flooring and breathable insulation to walls and ceilings. Other works would include the replacement of modern features such as fireplaces with period alternatives. All the noted works would be beneficial to the historic fabric and integrity of the listed building, sustaining, and enhancing the significance of the heritage asset. They would also be likely to limit damp in the building to make it a healthier environment in which to live. Reinstating period features would also enhance the building's authenticity and legibility. These would all be heritage benefits.
27. Despite the range of proposed beneficial works, it is my view that only limited information has been submitted with the appeal documentation to understand

² Conservation Principles, Policies and Guidance (2008)

³ East Cambridgeshire District Council Design Guide, Supplementary Planning Document (2012)

the extent of the building's dilapidation, how the works might be carried out or their likely impact on the building's special interest and significance. However, in relation to this, I was satisfied from the discussion at the hearing that conditions could be attached, were I to allow the appeals, to give assurance that these works would be appropriate. In this regard, both parties agreed several conditions, including a condition to secure the delivery of these works within a reasonable timescale.

28. The proposal would also include works to modernise the building to make it a more liveable and contemporary family home. These would include the relocation of the kitchen to better relate to the proposed extension and the improvement of services and bathroom facilities. Subject to the conditions agreed at the hearing to secure the details of these works I am satisfied that they would have a neutral impact on the special interest and significance of the listed building.
29. Looking holistically at the package of repair, renovation and upgrading works, they would enable the building to be brought back into active and beneficial use as a single-family dwelling. They would also secure its long-term use and its future as a heritage asset. Many of these works would also bring about enhancement of the building's special interest and significance. However, whilst I recognise their beneficial nature, I am not convinced that they would significantly go beyond what any owner of a listed building in this condition would undertake. This is especially so given that the works are not fully specified at this stage. For example, most owners would need to strengthen the roof of the building and undertake repairs to the timber frame. These works would most likely be necessary to make the building fit for habitation and certain standards, such as the need for breathable materials, would be expected given the listed status of the building and the need to maintain its fabric. Also, I have insufficient detail of the nature of the period details to be reinstated. I therefore assign moderate weight to these benefits.
30. Drawing all of the above together, whilst I have found that the proposal would not harm the contribution that the setting makes to the significance of Ash Leas, I have found that the proposal would have elements which would be both harmful and beneficial to the special interest and significance of Pratts Green Farmhouse. Alongside the harm I have found arising from the proposed extension, the removal of harmful features including the flat-roofed extension, replacing impervious materials affecting the breathability of the building fabric and the replacement of some incongruous modern fittings and fixtures would all be beneficial. So too would be the general repair and restoration of the building to meet best conservation practice. In undertaking this balancing exercise, when considering the impact of a proposal on the significance of a designated heritage asset, paragraph 205 of the Framework advises that great weight should be given to the asset's conservation. Therefore, in examining all the heritage benefits of the proposal and the weights I have assigned to them above, I conclude that the considerable, adverse impact arising from the extension, for the reasons explained above, would significantly outweigh the collective heritage benefits for which I attribute moderate weight.
31. With reference to Paragraphs 207 and 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. I find the harm to the heritage asset to be 'less than substantial'. However, this should not be equated with a less than substantial

planning objection and is of considerable importance and weight. Under such circumstances, Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal.

Public benefits and balance

32. In undertaking this balance, I have taken account of the Planning Practice Guidance⁴ which explains what constitutes a public benefit. In this regard, I am satisfied that there are aspects of the proposal that would undoubtedly be positive and of public benefit.
33. I have already highlighted above the heritage benefits which would accrue from the removal of the flat-roofed extension, replacing potentially harmful building materials and replacing incongruous modern fittings and fixtures. Alongside, the proposal would secure the general repair and restoration of the building. I have found that all these works would help sustain and enhance the listed building, secure its long-term use as a single-family dwelling, and contribute to the building's long-term conservation. Although many of these improvements would not be accessible to the public, they would represent benefits to the public at large. However, for the reasons explained above, the weight of these public benefits have been moderated because it has not been clearly demonstrated that the works would be significantly over-and above what any owner of a listed building in a similar condition would undertake, there are limited details provided at this stage and the flat-roofed extension is not unduly harmful in the context of overall views of the building.
34. There would be some economic benefits brought about through the investment in the property and the construction works and social benefits would be gained through improvements to the local housing stock. However, these would be modest given the scale of the works. Making the building more accessible to those with limited mobility would also be a public benefit, although the full details of those works are not clearly specified. The appellant comments that the extension would be of high-quality and there is the intention to increase the energy-efficiency of the building and minimise the impact on the environment. However, these factors would be expected of any new development, and this limits the extent to which they can be regarded as public benefits.
35. The proposal would be beneficial to the appellant's living conditions, providing more space and elements of modern, contemporary living. However, I regard this as a private rather than a public benefit. Moreover, from the evidence before me, I am not persuaded that the extension sought is a fundamental necessity to sustain the building's use as a single-family home. Even if it was found that additional floorspace was essential, it has not been demonstrated that such an improvement could not be achieved through alternative means, thereby avoiding the harm identified to the heritage asset. Nor am I convinced that the only way to secure the benefits outlined above to ensure the building's long-term conservation would be via the proposal.
36. The proposal would provide for the long-term use of a currently under-used and dilapidated heritage asset which is a significant heritage benefit. However, no substantive evidence has been presented which confirms that the building's optimum viable use as a single-family dwelling would be jeopardised, or that its conservation as a designated heritage asset would be at risk, if the appeals

⁴ Planning Practice Guidance 'Historic Environment': Paragraph 020 Reference ID 18a-020-20190723

were to fail and the proposal as submitted was not implemented. As such, clear and convincing justification has not been provided for this proposal which would compromise the building's conservation to an unacceptable degree and would not conserve it in a manner appropriate to its significance.

37. In accordance with the *Juden* and *Kay* judgments I have taken full account of all elements of the proposal to form a holistic view, and I have also considered that many of these works, whilst capable of being undertaken separately, would all benefit the building. Drawing all this package of public benefits together, for the above reasons, I give them moderate weight. However, these are not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage asset.
38. I conclude that the proposal would not harm the setting and significance of the Grade II listed building, Ash Leas. However, it would fail to preserve the special architectural and historic interest of the Grade II listed building, Pratts Green Farmhouse. As such, the proposal would be contrary to the requirements of the Act and the Framework. The scheme would also conflict with Policies Growth 2, ENV1, ENV2 and ENV12 of the East Cambridgeshire Local Plan (2015). These policies, amongst other things, seek to protect and enhance heritage assets. Because of the conflict with these policies, the proposal would therefore not accord with the development plan as a whole.

Other Matters

39. I have taken account of the appellant's concerns about the Council's handling of the application, including its assessment of the public benefits and the balancing of benefits against any identified harm. These matters, however, are for the Council and do not alter my findings on the main issue.
40. I have reviewed the examples of extensions on listed, rural dwellings. Whilst this appeal may have some similarities with these examples, I have only been provided with limited drawings, little information into the background of the proposals and insufficient detail of the immediate environment in which these buildings are situated. I also note that some of these examples relate to replacement structures and most historic buildings have a different plan form and none appear to indicate a similar design solution. Therefore, I do not have sufficient details to be certain that they are directly comparable to the exact circumstances before me. I have therefore determined the appeal proposal on its own merits and on the evidence before me.

Conclusion

41. **Appeal A:** The proposed development would conflict with the development plan when considered as a whole. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.
42. **Appeal B:** For the reasons given, I conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Richard Lawton	The appellant
Andrew Parkinson	Landmark Chambers
Dr Jonathan Turnock	Principal Heritage Consultant, Pegasus Group
James Snell	Director, Snell David Architects
Alan Smith	Senior Architectural Technologist, Snell David Architects

FOR THE LOCAL PLANNING AUTHORITY

Charlotte Sage	Planning Officer
Christopher Partrick	Conservation Officer
Toni Hylton	Planning Team Lead

INTERESTED PARTIES

Cllr John Kitley	Vice Chair, Kirtling Parish Council
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DOCUMENTS SUBMITTED AT THE HEARING

- Approved judgement: *R. (Juden) v the London Borough of Tower Hamlets* [2021] EWHC 1368.
- Approved judgement: *Kay v SSHCLG* [2020] EWHC 2292.
- Draft additional conditions agreed between both parties.