



Appeal Decision

Site visit made on 25 March 2025

by **G Bayliss BA (Hons) MA MA MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 03 April 2025

Appeal Ref: APP/C3105/Y/24/3351248

Village Farm, Blackbull Lane, Fencott, Oxfordshire OX5 2RD

- 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 and Mrs J Christopher against the decision of Cherwell District Council.
 - The application Ref is 24/00917/LB.
 - The works proposed are single storey front, rear, end extensions and carport with associated internal/external works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) in December 2024. I have considered these amendments against the parties' appeal evidence. However, I have not gone back to the parties for comment, as I do not consider the Framework changes to be substantive or determinative to the outcome of this appeal.
3. As a decision-maker, I must consider this appeal in light of the statutory duty placed upon me under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 202 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
4. The details before me suggest that, in relation to the above proposal, the Appellant applied for both planning permission and listed building consent. However, the appellant confirms that the appeal is made in relation to the refusal of listed building consent only. I have therefore limited my consideration to this decision.
5. Both parties explain that approval was given in 2024¹ for single storey front, rear, end extensions and carport with associated internal/external works. The appellant suggests that this appeal proposal represents minor alterations to that approved scheme, but the Council considers that harm to the listed building would occur.

Main Issue

6. The main issue is the effect of the proposal on the special interest and significance of a Grade II listed building.

¹ Refs 23/03404/F and 23/03405/LB

Reasons

7. The list description for Village Farmhouse (Ref.1192587) explains that the two storey building dates from the early 18th century, is constructed of limestone rubble with a plain tile roof and has an L-shaped plan with outshut on the gable end. I noted from my visit that the historic plan form of the building is clearly legible and forms a key part of the building's special interest and significance. The building is set back from the road within an open, rural setting which also contributes to that special interest and significance. Views of much of the frontage can be seen from the road.
8. The single storey front addition would comprise an extension to the lean-to outshut on the gable end of the main dwelling. It would extend out beyond the line of the front porch, would project slightly onto the main frontage, and its ridged roof would create a forward-facing gable with a flat roof alongside. By extending significantly out from the building frontage, the proposal would comprise a visually dominant and conspicuous addition which would draw the eye away from the historic front elevation. Furthermore, the proposed form of the structure with its flat-roofed element and an amalgamation of various other roof forms would not be typical of vernacular building construction and it would appear unnecessarily complex and visually harmful. The extension may relate to a more recent part of the building which has already been subject to alteration but nevertheless the design and front projection would be inappropriate in this conspicuous position.
9. In relation to the rear extension, the proposal would again represent a rather contrived built form which would jar with the distinct historic form that I have described, and the legibility of its built elements and roof pitches. The roof form would become complex with a shallow-pitched gable and widely spaced windows which are rarely features of traditional gable ends. Consequently, the design suggests that it has been based on the appellant's internal requirements rather than being informed by traditional form and appearance. The creation of a large opening in the existing walling would represent a loss of historic fabric as well as create an internal space which would be at odds with the historic plan form which is typically characterised by smaller room sizes. The Council may have approved the removal of a larger area of walling back in 1996, but I have few details of that approval including the context in which that decision was made. In any event, planning legislation and guidance has changed since that time and whilst I recognise the need for consistency, decisions must be made in the context of current legislation and guidance and the exact circumstances of the case. The appellant may be willing to reduce the size of the proposed opening, but this would not address the overall harm arising from the appeal proposal.
10. It may be that the Council has previously approved extensions to the front and rear in a similar location to those currently proposed. Whilst I do not have full details of that approval, I must base my decision on the proposal as it is before me and form a view based on my understanding of the building's special interest and significance. It may also be that elements of the proposal are an improvement on an earlier scheme for an orangery but there is little to indicate that this was an approved alteration. Even though the appellant proposes the use of matching materials and elements of historic detailing, and despite the overall subservience of the extensions, I still find that, for the reasons stated, they would be significantly detrimental to the building's special interest and significance.

11. I have taken account of the proposed car port and log store and there is little before me to suggest that their location or design would not be acceptable. I have no reason to disagree.
12. The appellant suggests that the proposed changes would not be especially visible from public view. However, I saw that the front extension would be clearly seen from the road. Also, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views are afforded. There may be similar proposals locally, but I have few details to support this view or to demonstrate that these properties are listed buildings which share similar characteristics. The Council may have raised no concerns regarding impact on the living conditions of the occupants of neighbouring properties or amenity space but these would be matters for the planning application. In any event they would be neutral matters neither for nor against the proposal.
13. Considering the above, the proposal would have a harmful effect on the special interest and significance of a Grade II listed building. That harm would be very significant and permanent. Therefore, the expectations of the Act are not met. Paragraph 212 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 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the asset, and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage asset, 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 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
14. The proposal would be clearly beneficial to the appellant's living conditions, providing a larger kitchen, open plan living and suit more modern standards. However, I regard this as a private rather than a public benefit. Moreover, I been given no evidence that the continued viable use of the appeal property as a residential dwelling and its preservation is dependent on this proposal, as the building has an ongoing residential use that would not cease in its absence. The Council has also given approval for a similar scheme which would appear to provide many of the improvements sought.
15. Given the above, I conclude that the public benefits would be insufficient to outweigh the great weight to be given to the harm to the designated heritage asset. As such, the proposal would not comply with the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the heritage asset. It would, therefore, fail to satisfy the requirements of the Act and the Framework and development plan policies as far as these are relevant.

Conclusion

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

G Bayliss

INSPECTOR