



## Appeal Decisions

Hearing held on 12 March 2025

Site visit made on 12 March 2025

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 8 April 2025**

### **Appeal A Ref: APP/X1355/W/24/3357297**

#### **Elstob Hall Farm, Road Leading to North Farm, Great Stainton, Durham TS21 1NH**

- 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 and Mrs M & J Corney against the decision of Durham County Council.
- The application Ref is DM/24/02093/FPA.
- The development proposed is 'Installation of windows'

### **Appeal B Ref: APP/X1355/Y/24/3357301**

#### **Elstob Hall Farm, Road Leading to North Farm, Great Stainton, Durham TS21 1NH**

- 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 M & J Corney against the decision of Durham County Council.
- The application Ref is DM/24/02094/LB.
- The works proposed are 'Installation of windows.'

## **Decisions**

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

## **Preliminary Matters**

3. On 12 December 2024, the Government released an updated version of the National Planning Policy Framework (the Framework). As the changes do not affect the consideration of the main issue of this appeal, I have not sought comments on the revisions.

## **Main Issues**

4. The main issues for both appeals is whether the proposal would preserve the Grade II listed appeal building or any features of special architectural or historic interest which it possesses; and the effect of the proposal on the setting of an adjacent Grade II listed building.

## **Reasons**

### *Special Interest and Significance*

5. Elstob Hall<sup>1</sup> is a commanding two-storey farmhouse fronting landscaped grounds while to the rear are a range of outbuildings. The hall is built of red brick with stone

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<sup>1</sup> List Entry Number: 1310873

detailing and a pantile roof in a polite, classic Georgian form. The front and rear elevations of the hall include six-over-six sliding horned sash windows with white timber frames, as do the later extensions to either side.

6. From all that I have seen and read, the special interest and significance of Elstob Hall is derived from its historic and architectural interests. Historic interest is drawn from its age and ties to both the agrarian heritage and wealthy landowning families of the area. Its architectural interest is mainly taken from its simple but traditional form and proportions, traditional materials, surviving historic fabric, vernacular character and detailing.
7. Of particular relevance to the appeals before me is the fenestration and group value with the outbuildings which have visual, physical, historical and functional associations to the agricultural history of the estate. There is a clear hierarchy within the site, best displayed through the grand approach to the hall from the southwest whereby the hall draws the eye for visitors. The outbuildings would have been purposely enclosed to the rear when approaching the front of the hall. The rural locale and group value attributed to the cluster of farm buildings therefore means the setting of the hall makes a substantial and meaningful contribution to its special interest and significance.
8. The threshing barn and gin gang<sup>2</sup> is within the rear yard area of the hall and is of traditional 'L' shape with an attached circular gin gang. Formed of red brick, the barn has retained its former openings while the gin gang retains its conical roof and cast-iron finial.
9. The special interest and significance of the threshing barn and gin gang is predominantly derived from its historic and architectural interests. Historic interest is drawn from the age of the structures; being a fine surviving example of a building of this type with additional evidential importance of the industrialisation of farming of the time period; and its subservient relationship to Elstob Hall. Architectural interest is drawn from the typically agricultural and utilitarian forms of the building; interrelationship of the two adjoining structures; traditional materials; and retention of historic details such as the openings which would have been used for light and ventilation.
10. Taken together, while the buildings have special interest and significance in and of themselves, the group value, hierarchy and close associations with one another contribute substantially to the understanding and experience as designated heritage assets.

### *Effects of the Proposal*

11. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to 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.
12. The appeal building is a typical ancillary agricultural structure with regards to its form, albeit it is very well preserved given its age and former use. I understand that a previous grant of planning permission and listed building consent<sup>3</sup> to change the use of the building to offices and the requisite physical works included a more

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<sup>2</sup> 'Threshing Barn and Gin Gang, 40 Metres North of Elstob Hall' – List Entry Number: 1322810

<sup>3</sup> DM/22/03534/FPA & DM/22/03535/LB

contemporary casement window style with a single pane of glass and grey frames. The 'External Window Rationale Document'<sup>4</sup> includes a visualisation of the approved windows, although I understand that specific details of the windows were to be agreed by condition prior to their installation.

13. The proposed windows herein would be painted green rather than the approved grey with a two-over-two arrangement rather than the six-over-six sashes displayed in the hall to differentiate between the two window styles of the buildings. However, they would nevertheless impart an unwarranted importance to the threshing barn and gin gang, belying its utilitarian and subservient historic function by installing windows of an overtly domestic design.
14. Fundamentally the legibility of the appeal building's authentic, unassuming architectural character would be harmfully eroded. Rather than distinguishing the threshing barn and gin gang from the hall, by increasing the appeal building's domestic formality the proposal would erode the sense of the site's agricultural origins, as well as its subservient relationship to the Grade II listed Farmhouse. Thereby its special architectural and historic interest would not be preserved. There would also be a perceptible intrusion within the setting of the hall, which would detract from its significance and special interest. This is of particular importance as I am given to understand that this type of building is evidently diminishing in rural parts of County Durham, placing a greater emphasis on the preservation of historically important buildings of this nature.
15. The appellant has presented a plethora of examples of the use of sash windows in non-domestic buildings, including farm, religious and industrial buildings, some of which are included in guidance from Historic England. I have also had regard to the theories of John Claudius Loudon, an influential agricultural theorist, landscape designer and botanist of the time that increasingly ancillary buildings should harmonise with the main farmhouse.
16. I don't dispute that sash windows are sometimes used in agricultural buildings generally speaking. However, in the examples given it is unclear whether the same aspects of special interest and significance apply insofar as the examples may or may not have a hierarchical relationship within a group of other buildings. To that end, at the hearing the Council emphasised that their objection in this case is not one of generalised aversion to sash windows in non-domestic buildings, despite some examples of approvals by the Council of ostensibly similar proposals provided by the appellant. In this case, the proposed windows would harm the special interest and significance of the host listed building and setting of the hall.
17. Given the above, I find that the proposal would fail to preserve the special interest and significance of the listed buildings, contrary to the provisions of the Act. I give this harm considerable importance and weight. The proposals would also be contrary to the historic environment preservation aims of the Framework and policy 44 of the County Durham Plan (adopted 2020), which states that development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting.

### *Heritage Balance*

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18. Paragraph 212 of the Framework advises that when considering the impact of a development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise 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. Given the scale and localised nature of the works, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, 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.
19. At the hearing I observed the significant depth of the openings of the building which are to be used for the proposed windows. Evidently, to maximise ventilation the windows would need to be positioned close to the outer leaf of the building. Notwithstanding their appearance, these could require the user to lean into the opening to close the window as they would open out past the outer façade of the building. However, the proposed windows would also be used in a similar manner, and while they would slide open or closed vertically, it was explained that to overcome the depth of the openings and avoid injury or inconvenience, a pole or other implement could be used. That being said, it is unclear as to why this approach could not be used with the approved casement windows.
20. The proposed windows would evidently be much more efficient thermally than the proposed and meet building regulation standards. The use of low carbon energy in the form of an air source heat pump installed at the site would combine with the increased thermal performance of the windows to make the offices a more attractive space for prospective tenants, although I gather that the legal status of the heat pump is unclear at this time. Regardless, the increased thermal performance of the proposed windows is explained in the window rationale document, and I see no reason to dispute it. This is worthy of some positive weight in favour of the proposals, albeit this would be limited.

## Conclusion

21. I have found that the proposed development would fail to preserve the host listed building and the setting of an adjacent listed building. In the parlance of the Framework, the harm to the significance of the designated heritage assets would be less than substantial, but still of considerable importance and weight, which I find would not be outweighed by public benefits.
22. The proposal would be contrary to the Act, and conflict with the development plan taken as a whole as well as guidance in the Framework. There are no considerations which would outweigh that conflict. Accordingly, for the reasons given, I conclude that both appeals A and B should be dismissed.

*C McDonagh*

INSPECTOR

## **APPEARANCES**

### **FOR THE APPELLANT:**

Nick Bridgeland – Heritage Director, Lichfields.

Neil Westwick – Senior Director, Lichfields.

Samantha Marlow – Director, Theakston.

### **FOR THE LOCAL PLANNING AUTHORITY:**

Jennifer Jennings – Principal Planning Officer, Durham County Council.

David Richards – Planning Officer, Durham County Council.

Brian Harris – Senior Conservation Officer, Durham County Council.