



Appeal Decisions

Site visit made on 2 December 2024

by O S Woodward MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal A Ref: APP/B1930/W/24/3342824

Pollards Farm, The Common, Kinsbourne Green, Harpenden, AL5 3PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr A Ayres against St Albans City Council.
 - The application Ref is 5/2023/2353.
 - The development proposed is reconstruction of former west range hay barn.
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Appeal B Ref: APP/B1930/Y/24/3342830

Pollards Farm, The Common, Kinsbourne Green, Harpenden, AL5 3PE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr A Ayres against St Albans City Council.
 - The application Ref is 5/2023/2353.
 - The works proposed are reconstruction of former west range hay barn.
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Decisions

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

Preliminary Matters

3. A revised National Planning Policy Framework (the Framework) was released in December 2024 and further updated in February 2025. I provided the main parties with the opportunity to comment and have based my Decision on the revised document.
4. The proposal is related to a listed building and I have therefore had special regard to Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. Another scheme was proposed in relation to the appeal site, for a new building in the garden area to the east of the listed building. I refused planning and listed building consent for these works on 5 March 2025¹. In addition, an extension to the east wing of the listed building has been built. However, I refused retrospective planning permission and an application to regularise the position with regard to listed building consent on 7 February 2025². All three schemes are clearly severable from one another and, in any event, the other

¹ Refs APP/B1930/W/3342814, APP/B1930/Y/3342820

² Refs APP/B1930/W/3342833, APP/B1930/Y/3342834

works have been refused consent. I have therefore considered the proposal independently of the other two schemes.

Main Issues

6. The appeals have been made against the failure of the Council to determine the applications within the statutory period. The Council has since confirmed that it would have refused both applications due to the works detracting from the special architectural or historic interest of the Grade II Listed building, 'Pollards Farmhouse'³ with regard to its setting and due to it being inappropriate development causing harm to the Green Belt. Although the Council's putative reasons for refusal refer to harm to the setting of the Listed building, the proposed works include the removal of fabric within the curtilage of the building, and would result in an extension to one of the houses that is part of the building. I have therefore framed my main issues to include consideration of the Listed building itself, as well as its setting.
7. The main issues are, therefore:
 - the effect of the proposal on the special architectural or historic interest of the Grade II Listed building, 'Pollards Farmhouse', including in terms of how the building is experienced in its setting;
 - whether or not the proposal would be inappropriate development in the Green Belt, including, if necessary, consideration of the effect of the works on the openness of the Green Belt (Appeal A only); and,
 - if inappropriate development, whether or not any harm by reason of inappropriateness, and any other harm, are clearly outweighed by other considerations so as to amount to the 'very special circumstances' required to justify the works (Appeal A only).
8. In addition, if I find there to be less than substantial harm to the heritage asset, then I will need to undertake a heritage balance as set out at Paragraph 215 of the Framework.

Reasons

Listed building

Significance

9. The building is a 16th Century farmhouse with attached (former) barns. It is a timber framed building with significant surviving historic fabric, which contributes to the significance of the building. The building was converted into residential use and separated from the functioning surrounding farmland in the 1930s. The building and barns retain a strong architectural expression of a traditional farmhouse both architecturally and because they are laid out around a typical courtyard layout. This positively contributes to the significance of the building, albeit tempered by the loss of its original use, the associated architectural changes such as the introduction of fenestration to some of the barns, and the functional divorce from surrounding farmland.
10. The west elevation of Range 1 is currently dark weatherboarded with relatively limited fenestration. It is 2-storeys with a hipped roof containing rooflights. This was converted into residential use following permission granted in 2015. The footprint and scale of the building is very similar to the range as in its

³ List entry number 1102967

previous agricultural use. It is unclear how much original or historic fabric remains following the conversion, but the overall architectural style is largely consistent with the previous use, albeit with the addition of fenestration. It is visibly and architecturally now in residential use.

11. Previously, there was a hay barn protruding from this west elevation. A photograph⁴ shows that the historic barn was a significant structure physically adjoining the west elevation. It is not clear, but it is likely that its roof was higher than that of the adjacent range. It was open to at least one elevation, the south side, but there is no evidence it was open to the opposite side. Although a relatively large structure, it was located roughly in the middle of the west elevation of the range, albeit slightly more towards the south end, which helped to break up its evident bulk when considered against the range, and also the linked Range 3 on the corner. It was also relatively narrow and was well proportioned in terms of the ratio of width to depth of the barn itself, and also the ratio of the width of the barn and the west elevation of Range 1. These factors both further reduced its visual dominance to this elevation.
12. The barn was likely on the site for over a 100 years. Although the farm ceased to operate in the 1930s, as of 1948 the hay barn was still in place, and formed part of the evolution of the buildings use and development over time. However, it was demolished in the 1960s. It has not, therefore, played any part in the more recent change of use of the wider building and land to residential. Its significance is therefore limited to a retrospective understanding of the evolution of the agricultural elements of the building over time. However, as it no longer exists, and has not done so for several decades, it cannot directly contribute to the significance of the listed building as it stands today.

Assessment

13. It is proposed to erect a two-storey building to the western elevation of Range 1. This would provide additional living space and bedrooms to the existing home. It would have a hipped roof with slate tiles and a dark stained weatherboarded elevation treatment. There would be no fenestration to the west elevation and limited to the north. To the south, there would be extensive fenestration but set 1m into the footprint of the building behind an initial open façade with timber posts. Three existing windows on the west elevation of Range 1 would be infilled. Two points of access would be provided by cutting into the existing wall at ground and first floor levels. There would also be some changes to an internal stud wall related to the existing study to the existing home in Range 1.
14. The proposed structure would be largely in the same location as the previous hay barn. Although the roof would be higher than the existing roof to Range 1, this is likely approximately the same relationship as with the hay barn. However, it would be wider and would be much nearer the southern corner with Range 3. It would therefore take up a materially greater proportion of the west elevation and its bulk would be much more prominent when viewed in the context of Range 3 where the building turns the corner towards the original farmhouse. The combination of these factors would mean that the structure would be more dominant, architecturally, than the hay barn had been.

⁴ See photograph, page 4, Design and Access Statement, dated October 2023

15. To the west and north elevations, the proposed fenestration would be in-keeping with that of the existing range, including expanses of dark stained weatherboarding. However, the southern elevation would include extensive fenestration, essentially a two-storey wall of glass. This would be partially mitigated by the setback behind the parapet of the roof and behind a timber pole structure. However, the set back would only be 1m and neither this nor the timber posts would fully hide the fenestration. This is a material change from the architectural approach to the other ranges, all of which have more sensitively reflected the change of use to residential with much lesser amounts of glazing. In terms of design detail, therefore, the proposed southern elevation would cause harm.
16. I acknowledge that the previous hay barn had an open elevation to the south and that the proposed approach of timber posts with the functional areas of the building sitting behind is a reflection of that barn. However, firstly the barn does not exist anymore and, secondly, the barn did not have any fenestration. This does not, therefore, provide a justification for the architectural approach that has been adopted.
17. In addition, although the principle has already been established of the reasonable re-instatement of former agricultural buildings to residential use on the appeal site, the hay barn does not exist. The principle has not been established of re-instatement of demolished buildings. As set out above, the demolished building does not contribute to the significance of the building. The re-instatement of the former building would also not be a direct replication of the former footprint, and, despite some nods in the direction of the previous barn, nor would it be a close replication of the former design.
18. The proposal would obscure a significant part of the west elevation of Range 1, including windows that would need to be filled in. This would cause some harm, albeit limited because this elevation has already been altered as part of the change to residential use.
19. The internal changes would involve some loss of fabric. However, the internal stud wall, of course, is a modern intervention. The external wall was refurbished and repaired as part of the conversion. It is therefore unclear how much of the lost fabric, if any, would be historic or of significance. Nevertheless, there would be the loss of some fabric, and this would cause some, albeit limited, harm.
20. I acknowledge that the proposal would not be visible from the main yard. Nor would the southern elevation and the overall scale and bulk be evident from the street. Nevertheless, the intrinsic harm to the significance of the listed building would remain. There would also be some harm to the setting of the building, as could be seen partially from public vantage points, and from the gardens to the building.

Overall

21. As set out above, the works would harm the architectural and historic interest of the building including in how its experienced in its setting, and are therefore contrary to Policy 86 of the St Albans District Local Plan Review 1994 (the LP), which broadly reflects the provisions of the Framework. I assess the level of harm to be less than substantial, at the mid-point of this range.

Inappropriate development

22. The appeal site is within the Green Belt. Paragraph 154 of the Framework states that the development is inappropriate in the Green Belt, subject to a number of exceptions, only one of which must be met. Exception (c) is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
23. The original building is defined in the Framework as being as existing as of 1 July 1948. As set out above, there was a barn in roughly the same location as the proposed extension in 1960. Therefore, although demolition of this had taken place by at latest 1970 and prior to designation of the area as Green Belt, the former barn should form the baseline for the assessment against exception (c). As should the rest of the building, which includes Ranges 1, 2 and 3, and the farmhouse itself. All these were present at either the same or similar size in 1948. The use of the building is irrelevant when assessing the proposal against exception (c) rather than (d).
24. The precise footprint and volume calculations are debated between the parties. In comparison to the former barn, the proposal would be approximately the same length as the previous structure but it would be wider by c.2m. Whilst an important consideration with regard to architectural and historic matters as set out above, this is not a significant or disproportionate increase in spatial volume of the entire building, whatever it may be in percentage terms.
25. With regard to the rest of the building, the pertinent point is that the change of use to residential and other alterations to the building and attached structures has not materially altered their footprint or volume since 1948. It is not, therefore, necessary to delve into the disputed calculations of the main parties, or into considerations regarding Ranges 4A and 4B, or the old separate buildings within the garden which could only further diminish the size of the proposed addition in proportional terms.
26. Overall, the proposal would not, therefore, represent a disproportionate addition over and above the size of the original building. It is not, therefore, inappropriate development and I do not need to consider Green Belt matters further. The proposal therefore complies with Policies 1 and 13 of the LP which, when read together, reflect the provisions set out at exception (c) of Paragraph 154 of the Framework. Although listed in the Council's putative reasons for refusal, Policies 69 and 72 are not relevant to this consideration because they relate to design and not the Green Belt.

Heritage Balance

27. As set out at Paragraph 215 of the Framework, where there is less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
28. In this case, the public benefits are limited to the creation of ancillary residential accommodation through the extension of an existing house. This would be a societal benefit because of an improvement to housing stock but only to a very limited degree. A further benefit would be the short term economic benefit from constructing the works. However, because it is a

relatively small proposal, the corresponding economic benefits would also be low.

29. The existing house is large and, whilst additional accommodation would no doubt be of some benefit, I do not see it as essential for the needs of the family. There is no evidence before me, nor any reason to believe given its already substantial size and high quality of presentation, that an extension to the house is required to secure its ongoing viable use.
30. In accordance with Paragraph 212 of the Framework, I place great weight on the harm to the significance of the listed building that I have identified above, notwithstanding that it is less than substantial harm. It is also important to note that the harm is in the mid-point of less than substantial, rather than at the lower end. This clearly outweighs the limited public benefits.

Ecology

31. The site falls within the Zone of Influence of the Chilterns Beechwoods Special Area of Conservation. Had the proposal been acceptable in planning terms, it would have been necessary for me to have undertaken an Appropriate Assessment (AA) as the competent authority. However, the Conservation of Habitats and Species Regulations 2017 indicates the requirement for an AA is only necessary where the competent authority is minded to approve planning permission, so I have therefore not undertaken an AA.

Conclusions

32. For the reasons above, Appeal A is dismissed.
33. For the reasons above, Appeal B is dismissed.

O S Woodward
INSPECTOR