The Planning Inspectorate

Appeal Decisions

Site visit made on 22 July 2021

by Helen B Hockenhull BA (Hons) B.Pl MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th September 2021

Appeal A: APP/B3438/W/20/3265997
Cross Farm Cottage, Main Road, Hollington ST10 4HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 and Mrs Pringuer against the decision of Staffordshire Moorland District Council.
- The application Ref:SMD/2019/0681 is dated 5 November 2019.
- The development proposed is an extension to dwelling.

Appeal B: APP/B3438/W/20/3266000
Cross Farm, Main Road, Hollington ST10 4HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 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 and Mrs Pringuer against the decision of Staffordshire Moorland District Council.
- The application Ref:SMD/2020/0338 is dated 24 June 2020.
- The development proposed is the conversion and extension to storage building to form a residential dwelling.

Decision

Appeal A

1. The appeal is dismissed, and planning permission refused.

Appeal B

2. The appeal is dismissed, and planning permission refused.

Procedural Matters

3. The appeals relate to two different buildings within the ownership of the appellant and associated with Cross Farm. To avoid duplication, I have dealt with both appeals together in one decision letter.

4. The appeals have been made following the Council's failure to determine the applications within the prescribed period. Following the submission of the appeals, the Council has clarified the position it would have taken on the applications if it had made a decision within the required timescales. I have taken these into account in determining the main issues.

5. Cross Farm Cottage is a former agricultural barn which was converted to a holiday cottage around 1998, though currently in use as a residential dwelling. The building lies adjacent to other barns in the ownership of Yard House Farm. As the farmhouse forms a Grade II listed building, the associated barns are curtilage listed. The Council considers the appeal building is also curtilage listed. This is however disputed by the appellant.

6. Historic England Guidance advises that there are three key factors to be taken into account in assessing whether a structure or object is within the curtilage of a listed building. These are the physical layout of the listed building and structures, ownership both historically and at the date of listing and the use or function of the relevant building both historically and at the date of listing.

7. The appellant advises that Yard House Farm was divided to from two farms over 60 years ago when it was inherited by two brothers. I observed on my site visit that the appeal building is freestanding and that the stonework abuts the side elevation of the adjacent barn rather than being bonded to it. The building also has a different eaves height and ridge height and was clearly built at a different date to the adjoining barn.

8. The openings to the appeal building face Cross Farm whilst the adjoining barns face Yard House Farm. This leads the appellant to argue that the barn was not functionally part of Yard House Farm. However, there is no evidence to suggest that this is the case, indeed its orientation may simply have been more efficient for the farm operation at the time it was constructed.

9. Yard Farm House was listed in 1967. I have been provided with no evidence regarding ownership at this time or prior to this point. I note that the application to convert the former barn to a holiday let in 1998 was the subject of listed building consent. This suggests that both the Council and the applicant considered the building to be curtilage listed. The appellant suggests that the applicant may not have challenged the listed status at that time because of expediency. This is however speculation and is unsupported by evidence.

10. Given the above, and as there is no substantiated evidence to the contrary, I conclude that the appeal building is curtilage listed.

11. As the works affect a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Act.

Main Issues

12. The main issues are as follows;

Appeal A

- whether the proposal would preserve the Grade II listed Yard Farm House (Ref: 1037967), any of the features of special architectural interest that it possesses;

- the effect of the proposal on the character and appearance of the host building;

- the effect of the proposal on highway safety, with particular regard to parking provision.

Appeal B

- the effect of the proposal on the setting of the Grade II listed Yard Farm House;
- whether the proposal would accord with national and local planning policies for development in the countryside;
- the effect of the proposal on the character and appearance of the host building;
- whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to privacy, noise and odours;
- the effect of the proposal on protected species.

Reasons

The significance of the listed building

13. Yard Farm House is a 17th century building with 20th century alterations constructed of coursed dressed and squared sandstone, a tiled roof, large ridge stack to the rear and chamfered mullioned windows. Its significance, as far as it relates to these appeals, derives from its location as part of a close group of buildings set around a hamlet crossroads. It also exemplifies a 17th century farmstead which has evolved with 20th century alterations.

14. Cross Farm Cottage forms a long linear building constructed in stone with a slate roof. It has been sensitively converted to a dwelling, making use of existing cart openings, minimising the need for alterations that would have led to a significant loss of historic fabric.

15. The buildings simple design and the retention of its original agricultural character contributes to its historic legibility as one of a wider group of farm buildings associated with Yard House Farm. The appeal barn also makes a significant contribution to the setting of the farmhouse for the same reasons.

16. As far as it relates to these appeals, the special interest of the building derives from its simple agrarian character, linear form and close juxtaposition with the historic farmhouse as part of an earlier farmstead.

Appeal A

The effect of the proposed works on the heritage assets

17. It is proposed to provide a two-storey extension to the south east elevation of the existing cottage. It would comprise a glazed entrance hall with pitched tiled roof attaching to a one and a half storey high rendered extension with a pitched tiled roof to match the existing building.

18. The proposal would form a substantial addition to the property obscuring much of the front elevation and original features of the historic barn. Furthermore, the extent of the projection, running at right angles to the existing building, would be at odds with the building's simple linear form.

19. The appellant argues that the glass link would separate the old from the new, retaining the linear plan and providing a subordinate extension. However, the proposal would be of such a scale in relation to the modest barn that it could not in my view be described as subordinate. Whilst I accept that the proposed glazed link would provide a clear distinction between the historic barn and the new extension, the changes to the building's footprint would erode the linear nature of the existing building.

20. Alterations would be required to the front elevation of the building with changes to both original cart door openings. This would result in the loss of historic fabric and also the introduction of new stonework. The proposal would significantly diminish the buildings agricultural character and undermine the historic legibility of the former farmstead.

21. The appellant has suggested that the scheme could be amended, moving the glass link so that the alterations to the cart openings would be avoided. However, this is not what is before me.

22. Given the above, I find that the appeal scheme would cause harm to the listed building. In this instance, I conclude the harm to be less than substantial but nevertheless of considerable importance and weight.

23. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. As I have found less than substantial harm to the significance of the heritage asset, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of the optimal viable use of listed buildings.

24. I acknowledge that the appeal proposal would provide additional living space for the appellant and their family. This would however form a private benefit only, which would be insufficient to outweigh the harm I have identified.

25. In the absence of any defined public benefit, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building. The proposal would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with Policy DC2 of the Staffordshire Moorlands Local Plan 2020 (SMLP) which aims to protect designed heritage assets and their settings.

Character and appearance

26. The Council's Design Guide Supplementary Planning Document (SPD) promotes well designed buildings that respond to the character and setting of their surroundings. When converting traditional buildings, it discourages the construction of extensions so that the character of the original building and its setting is respected and retained.

27. The appeal proposal would almost double the size of the existing property and result in a disproportionate extension to the simple modest cottage, failing to respect the linear character of the existing rural building. The proposal would therefore be unsympathetic to the existing building in terms of its design, causing harm to its character and appearance and failing to comply with the above guidance.

28. The scheme would also fail to accord with paragraph 130 of the Framework which requires the design of development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture. It would also conflict with Policy DC1 of the SMLP which seeks to secure development of high design quality.

Highway safety

28. The Council has assumed that because the proposed extension extends over much of the rear patio and garden area, that the resultant dwelling would have no available on-site car parking. However, I saw on my site visit that this area is not used for car parking, with more than adequate space being available to the south west of the dwelling within the wider site.

29. Accordingly, I am satisfied that sufficient car parking provision would be available, and the scheme would not create any highway safety issues with the need for vehicles to park on the highway. Therefore, the scheme would comply with Policies DC1 and T1 of the SMLP which amongst other things seek to ensure that developments provide adequate car parking.

Conclusion – Appeal A

30. I have found that the scheme would fail to preserve the special interest of the Grade II listed building and cause harm to the character and appearance of the host building. Whilst adequate car parking would be provided, this would not outweigh the harm I have identified. The proposal would not accord with the development plan as a whole and other material considerations do not outweigh this conflict.

Appeal B

Effect on the setting of nearby listed buildings

31. The appeal building forms a modern former agricultural building constructed of brick with a standing seam roof. The north east elevation of the building has been rendered and white upvc windows installed. The building has an overhang to the north west elevation creating a covered parking and storage area. It is proposed to convert and extend the building to form residential accommodation comprising a three-bed bungalow.

32. The building is sited to the south of the listed Yard Farm House. The appellant has not provided a Heritage Statement to accompany this application, so I have made my own assessment on the heritage impacts of the scheme based on my observations at my site visit.

33. Looking from the highway, the listed farmstead is seen behind existing mature vegetation with the roof lines of the associated barns visible in the backdrop to the farmhouse. The appeal building is sufficiently set back into the site so that it is not visible in this view and from this perspective, has no impact on the setting of this heritage asset.

34. The rear patio to Cross Farm Cottage and the surrounding farmyard and garden to Cross Farm, provides space around the listed building and contributes positively to its setting. The appeal building is located beyond these open areas and is not closely juxtaposed to the heritage assets. I am

therefore satisfied that the proposed conversion and extension would preserve the setting of Yard Farm House.

35. The appeal proposal would comply with the requirements of the Act, paragraph 197 of the Framework and Policy DC2 of the SMLP which aims to conserve and where possible enhance heritage assets and their setting.

The principle of the development in the countryside.

36. There is dispute between the parties as to whether the appeal site is located within the open countryside or within the settlement of Hollington. Local Plan Policy SS9 defines Hollington as a smaller village, however no boundaries are defined.

37. Hollington consists of ribbon development stretched along a narrow ridge. The village church is located close to the entrance to the farm at a T junction, around which there is a cluster of other buildings, including Yard House Farm. In my view there is a distinct gap between this cluster of buildings and the appeal site. Moreover, there is a discernible change in character at this point, as the built-up area gives way to rural buildings and open fields. I therefore concur with the Council that the building is located in open countryside and is therefore subject to Policy SS10 of the local plan.

38. This policy restricts development in the countryside but makes provision for new housing if it comprises the conversion of an existing building and meets the requirements of Policy H1. This latter policy includes a number of criteria. Of relevance in this case is criteria d) which supports the conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

39. In this case the building is not a heritage asset and the scheme does not provide enabling development. The appeal building forms a modern agricultural building which would appear to be structurally sound. It is not of architectural merit and does not make a significant contribution to the character of the rural area. Therefore, the proposed conversion would not accord with Local Plan Policies H1 and SS10.

Character and appearance

40. The proposed scheme involves the infilling of the canopied area to the northwest elevation and an extension of around 1.7 metres with an eaves and ridge height matching the existing building. The building has a limited number of existing openings but a number of bricked up openings are evident, notably a large door opening to the south east elevation. The conversion scheme does not optimise the use of the existing or former openings, rather several new or altered window and door openings are proposed. A large expanse of glazing is proposed to the south east elevation. This would result in an incongruous addition, at odds with the simple agricultural character of the existing building.

41. It is proposed to introduce render to the south east and south west elevations, with the extension and infill area being of stained cedar shiplap cladding. A modern style door framed by colour coated glass blocks is

proposed to the south west elevation. This choice of materials would contrast with the rural vernacular and character of the existing building, failing to reflect its former agricultural use.

42. The unsympathetic conversion and extension would cause harm to the character and appearance of the host building. It would conflict with Policy DC1 of the SMLP and the Council's Design Guide SPD which seek to ensure that developments are designed to be of high-quality incorporating creativity, detailing and materials appropriate to the character of the area.

Living conditions for future occupants

43. Immediately to the south of the appeal building is a public right of way running through the farm to the countryside beyond. The proposal would have no impact on the right of way itself, but the route would result in walkers passing very close to the front door and a bedroom window on the south west elevation of the proposed bungalow.

44. The presence of walkers going through the farmyard is an existing situation which currently impacts on the appellant and other family members who occupy Cross Farm. This is not an uncommon occurrence in many rural locations. Whilst there is the potential for an adverse impact on privacy, particularly in relation to the bedroom window, this would be a matter that future occupiers would be aware of and appropriate measures could be taken to maintain privacy such as the installation of internal blinds.

45. The proposed dwelling would be sited approximately 5 metres away from an existing building used as stables and close to the existing menage and horse walker. Being close to these equestrian activities, would create the potential for noise and odour nuisance. I am aware that the horses on the farm are owned by the appellant and no livery takes place. If the proposed bungalow is occupied by the appellant or a family member, any problems of noise or odour would be accepted. However, planning permission is being sought for a dwelling without restriction to its occupation. There would be nothing to stop it being sold and separated from the wider site at some time in the future. If the equestrian use were to remain, this could raise amenity issues affecting the living conditions of future occupants.

46. Given the above, I conclude that the proposal would cause harm to the living conditions of future occupants and would fail to comply with Policy DC1 of the SMLP which seeks to protect residential amenity.

Protected species

47. The appeal submission is not accompanied by any ecological surveys to determine the absence or presence of protected species. The appellant argues that the building is modern, well maintained and has no protected species such as bats living in the building. Whilst that may be the case, it should be confirmed by the preparation of an appropriate survey.

48. The appellant has indicated willingness to undertake this work and has suggested that an appropriate condition could require a report to be prepared. However, the presence of protected species is a material consideration when a development proposal is being considered, Circular 06/2005 advises that it is essential that the presence or otherwise of protected species, and the extent to which they would be affected by a

proposal is established before planning permission is granted. Otherwise, all relevant material considerations may not have been addressed in coming to the decision.

49. Accordingly, I must conclude that it has not been satisfactorily demonstrated that the appeal scheme would not cause harm to protected species. The proposal would therefore fail to comply with the above cited Circular, section 15 of the Framework and Policy NE1 of the SMLP which aim to conserve and enhance site biodiversity.

Conclusion – Appeal B

50. I have found that the scheme would preserve the setting of the nearby Grade II listed Yard Farm House. However, the proposal would not accord with development plan policies for development in the countryside and the scheme would cause harm to the character and appearance of the building and to the living conditions of future occupants. It has also not been demonstrated that the proposal would protect and conserve protected species. The proposal would not accord with the development plan as a whole and other material considerations do not outweigh this conflict.

Overall conclusion

51. For the reasons set out above and having had regard to all other matters raised, I dismiss these appeals.

Helen Hockenhull

INSPECTOR