

DELEGATED DECISION REPORT

SMD/2022/0021
Valid 21/01/2022

HALLWATER FARM
HALLWATER
ENDON

REPLACEMENT GATES
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Heritage and design
- Endon Conservation Area
- Grade II Listed Hallwater Farm House
- Green Belt

DESCRIPTION OF SITE

Gateway into premises abutting gable end wall. The gate is set back about 2m to 3m rear of the public roadside pavement along the public road (D1059) known as Hallwater.



PROPOSAL

The application is a re-submission of refused application SMD/2021/0487 and now proposes: "...a purely wooden design. The size and profile of the gate is the same as the existing design. They will professionally manufactured and installed by a local carpenter." [The refused scheme had been for a metal panelled gate.]

The applicant comments that: *"The property has a pair of double gates that allow entry onto the main road. These are an important security and safety feature as there are pets and young children in the house and the adjoining road is very busy with a 40mph speed limit. The current gates are of wooden construction and are fixed into the ground- there is no physical connection with the listed property. They are now in very poor condition and need to be replaced – for cosmetic and functional reasons. I originally identified a design of gate manufactured in metal, very similar in profile and colour to the existing gates. The application was rejected as metal was not considered in keeping with the historical aspect of the building."*

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

04/00932/FUL – Alterations to boundary and garage frontage [garage frontage later omitted from scheme] – approved (Fig. 1 below)

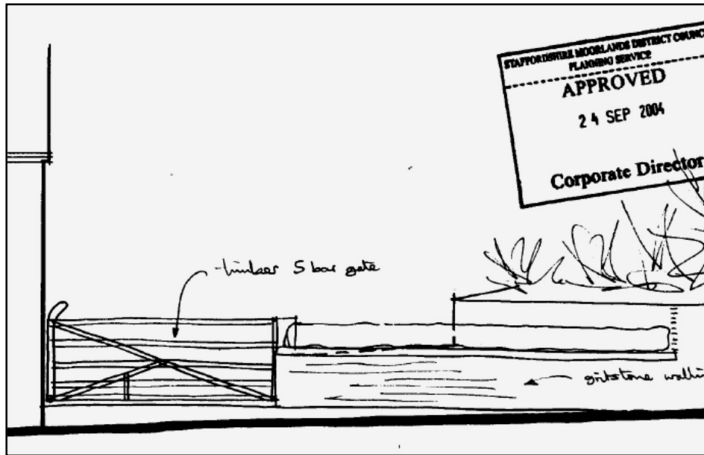


Fig. 1

SMD/2021/0487 – Replacement Gates – refused

CONSULTATIONS

Publicity

Site Notice expiry date: 17.03.2022

Neighbour consultation period ends: 15.02.2022

Press Advert: 02.03.2022

Public Comments

None

Town / Parish Comments

Endon with Stanley Parish Council – none received – previously commented on the refused application: – In principle we have no objection to the renewal of the gates as the current gates have no great heritage value being a comparatively new addition and are not attached to the listed building in anyway. However we do have concerns about the proposed colour as we feel the appearance of the new gates is too dark and should be more in keeping with the existing colour. Ideally we would like to see the new gates in timber but recognise the maintenance issues involved. If they are to remain in steel could you tie these into a suitable RAL colour to reflect the existing.

Staffordshire County Council Highways

No objection. The previous application (SMD/2021/0487) was acceptable to the Highway Authority. This application makes only aesthetic changes to the appearance of the gates. The replacement gates will open inwards, away from the highway and in the same location as detailed on the submitted Overview and Site Plans. There are no highway implications for the proposal.

OFFICER COMMENTS

Principle of Development

In principle a boundary gate has been accepted by the granting of permission under 04/00932/FUL [SMD/2004/0544]. The more recent Local Plan (2020) and NPPF (2021) are not found to change the in-principle acceptability of a boundary gate in this position. Whether the specific proposal is acceptable is a matter of considering the detailed design and in particular any implications for the heritage significance of the building and its setting to the Endon Conservation Area and any implications for the significance of the Farm house and its setting as a Grade II Listed Building.

Whilst GPDO Schedule 2 Part 2 Class A makes certain 'minor operations' involving gates, fences, walls etc permitted development, paragraph A.1(d) makes the development not permitted *"if it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building"*.

The question of curtilage was considered in the 2004 application and it was concluded at the time that the application was within the curtilage. There would also be no doubt that this proposal involves a part of the enclosure surrounding the Listed Hallwater Farm house.

Heritage

In a very limited Heritage statement the applicant says: *"The gates will be replaced with wooden gates of the same size and profile, but with a wood finish rather than a painted finish. The appearance will be in keeping with the style of the dwelling, which has been a home rather than a working farm for many decades. There will be no historical impact on the property."* The applicant also comments that: *"The existing gates are of no historical interest, are around 15 years old and are worn out. Their physical appearance detracts from the appearance of the property and surroundings."*

The Listing describes the dwelling as a farm house (C17 with mid-C19 alterations and additions).

The Staffordshire Environment Record describes the farm as having a loose courtyard plan and of probable 17thC origin.

The Endon Conservation Area Appraisal notes the barn to the farm – now converted to a dwelling – stands parallel with the farm house to the south west.

The 1878 OS map (Fig.2) shows that the entrance subject of this application was historically the sole and therefore main entrance to the farmstead and this appears to have remained the case at least into the mid 20thC.

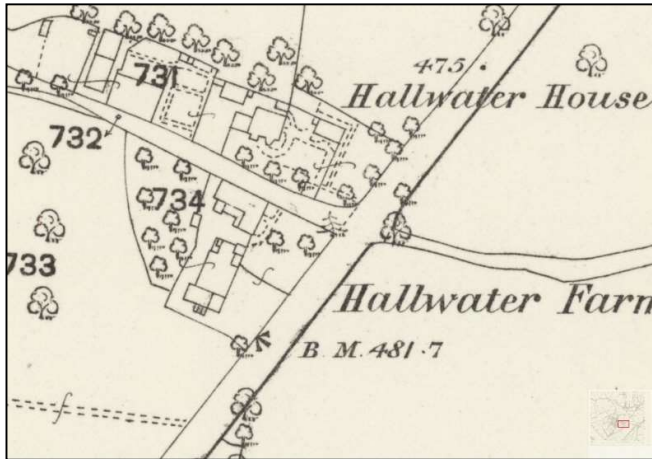


Fig.2

Significant to the heritage of this property is its farmstead origins. Notably, as recently as 2004 the entrance subject of this application was relatively open and sweeping. The gate closure was by means of a typical five-bar farm gate with stone gate posts.

It would appear from the 2004 file that a timber five bar gate was again to be used and the approval was chiefly about it being re-positioned closer to the road. It is not clear that the present boarded arch-topped timber gate has specifically been approved.

Historic Environment Policy DC2 of the Local Plan is to give protection to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

An LPA can only discharge its Planning(LBCA)1990 s.66 and s.72 duty to make a proper assessment of the impacts on a Listed Building and/or a Conservation Area, if it is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

NPPF paragraph 199 states 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 200 goes on to say that: "any harm or loss [to a heritage asset] should require clear and convincing justification."

NPPF paragraph 202 states that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

Design

The design is illustrated in submitted drawing DR4561. This essentially confirms the design is to replicate that of the existing gates. The position is confirmed in the 1:500 site plan drawing. There are compromises in the design in that a timber five-bar gate would be more historically appropriate for a former farm yard entrance. However, as the proposal replicates the existing gates and, whilst there is no record of an approval for these, Google Streetview images show that they were present in 2009. As such they are more than 4 years old and lawful. There has also apparently not been any attempt on the part of the LPA to enforce any change and given that in general terms the appearance in the now proposed scheme is of a high standard, the compromise can be judged acceptable in this case. Whilst there may be some argument that for historic authenticity, if a solid boarded gate is used, it should be to a painted finish, the proposed natural timber finish is found on balance also acceptable.

Amenity

No issues for neighbour amenity are identified.

Highway Safety

In view of the Highways Officer comments, no issues.

CONCLUSION / PLANNING BALANCE

In determining this application the LPA has a statutory duty, under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to consider the impact of the proposal on the special architectural and historic interest of the listed building affected, and its setting. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, paragraph 199 of the Framework states 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.

The main concern and reason for refusal of the previous scheme was in the use of a metal panelled gate. The SMDC Conservation Officer at the time had advised that if adopting a close board design, timber should be used and there was no outright objection to the close board design. The impacts on the setting of the Listed Building in this amended timber design can be judged neutral and therefore do not need to be set against any public benefits. As timber is now proposed, and matching the existing gates in structural design, the scheme can be recommended for approval.

Similarly there would be no harm to the character and appearance of the Endon Conservation Area which would therefore be preserved consistent with DC2 and Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 which places a statutory duty on the LPA in assessing planning applications in

respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

OFFICER RECOMMENDATION : **approve**

Case Officer: Arne Swithenbank

Recommendation Date: 29th March 2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council