

<u>Location:</u>	Wrights Farm Shillington Road Pirton Hitchin Hertfordshire SG5 3QJ
<u>Applicant:</u>	Ms Anna Mayers
<u>Proposal:</u>	Two storey extension and internal and external alterations to existing agricultural barn to facilitate conversion into one 4-bed dwelling.
<u>Ref. No:</u>	24/00708/LBC
<u>Officer:</u>	Andrew Hunter

Date of expiry of statutory period:

21 May 2024

Extension of statutory period:

31 October 2024

Reason for referral to Committee:

The application is to be determined by Planning Control Committee by reason of being linked to parallel and related planning application 23/02838/FP, with that development being residential development with a site area of 0.5 hectares or greater, as set out in 8.4.5 of the Council's Scheme of Delegation.

1.0 Relevant Site History

- 1.1 19/01275/OP - Erection of four dwellings following demolition of existing farmhouse and associated farm buildings (all matters reserved except access) (amended description and plans received on 01/07/20 and 10/07/20) - Refused 11/01/21 for:
1. The proposal by reason of its type, location and visual impacts would be unacceptable in the Rural Area Beyond the Green Belt and would result in harm to the character and appearance of the locality. There would be additional harm to the setting and significance of designated heritage assets being a grade II listed building and Conservation Area resulting in intrusive impacts and an inappropriate form of development. The proposal would therefore be contrary to Policies 6, 7 and 57 of the

North Hertfordshire District Local Plan No. 2 with Alterations; Policies PNP 1, 2 and 8 of the Pirton Neighbourhood Plan; Policies SP1, SP2, SP5, SP9, SP13, CGB1, CGB4, D1 and HE1 of the emerging Local Plan; and National Planning Policy Framework Sections 12 and 16.

Appeal dismissed 22/02/22.

2.0 **Policies**

2.1 **North Herts Local Plan 2011 - 2031**

Policy SP13: Historic Environment
Policy HE1: Designated heritage assets

2.2 **National Planning Policy Framework**

Section 16 – Conserving and enhancing the historic environment

2.3 **Pirton Neighbourhood Development Plan**

Policy PNP 8 - Heritage Assets and Archaeological Heritage

3.0 **Representations**

3.1 **Neighbouring Properties:**

The application has been advertised via neighbour notification letters, the display of a site Notice, and a press notice. At the time of finalising this report, 50 objections had been received. The objections received were on the following grounds:

- Disproportionately large extensions.
- Inappropriate. Will degrade the barn.
- Large garage incompletely described.
- In the Conservation Area.
- Outside the village boundary.
- Contrary to the Neighbourhood Plan.
- Within a Pirton Character Area.
- Transitional between village and countryside.
- A precedent must not be set.
- No need for new houses.
- Smaller houses are needed.
- Errors and inaccuracies.
- Site is subject to Crichel Down rules.
- Conflicts with “Managing Public Money” guidance.
- Should be rejected, like other applications nearby.
- No guarantee that requirements of conditions are implemented.
- Vehicle access inadequate. Safety concerns.
- Neglected habitats should be restored.
- Impacts on chalk stream.
- Sewerage can't cope.

- Lack of infrastructure.
- Potential asbestos.
- In an area of archaeological significance.
- Little detail of biodiversity improvements.

Consultees

3.2 **Parish Council**

The Pirton Parish Council objects to the grant of planning permission under both applications.

We take as our starting point the reasons for refusal of the Herts County Council Appeal (HCC) to the Planning Inspectorate (APP/X1925/W/21/3274765) which we support i.e. the effect on the setting and character and appearance of the Pirton Conservation Area: the harmful effect on the designated heritage asset that is the Listed Barn; and adverse impact on the openness of the site to the surrounding countryside (harm to the rural setting). We do not think that the current proposals overcome these objections.

Listed Barn

Something needs to be done to ensure the long-term future of the Listed Barn. This is not it. The result of the proposals will be of extensions dominating the listed barn. The scale of development proposed is not at all in keeping with the modest size of the listed barn. The proposed extensions are clearly of greater square meterage than the original Barn, and in places being of two storeys, completely dominate the original barn. The design proposal does not meet the criteria usually applied to barn conversions.

(Full comments from the Parish Council are in Appendix 1 of this report).

3.3 **Conservation Officer**

The two-storey overtly domestic appearance of the barn addition including 3no. dormer windows and chimney stack together with introducing 10no. new windows openings and 4no. roof lights to the grade II listed barn, will erode this building's significance as a late C18 timber-framed barn of vernacular construction.

I do not take the view that this is a high quality and responsive scheme, and that harm would be occasioned to the listed barn and to the character and appearance of the PCA. On this basis, I raise an **OBJECTION** as the scheme fails to satisfy Sections 16(2) and 72(1) of the Planning (LB & CA) Act 1990, the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031. The public benefit would be to find an optimum viable use for the barn but I conclude that this on its own is insufficient to outweigh the great weight to be given to the less than substantial harm I have identified.

(Full comments from the Conservation Officer are in Appendix 1 of this report).

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site comprises an access road that leads to Wrights Farm, which is no longer in use. The northern cluster of buildings includes a Grade II listed barn, the only listed building on the site, and the subject of this Listed Building Consent application. The listed barn has a tiled roof and timber walls.
- 4.1.2 The other buildings in the northern part of the site are an unlisted modern barn, stables and a livestock building. A short distance to the south is a former livestock shed. A greater distance further south is a two storey dwelling, the former farmhouse which is not lived in or in use. The site continues south down the access to where it joins Shillington Road.
- 4.1.3 The buildings north of the farmhouse are considered to be in open countryside, which has a rural agricultural character. This northern two-thirds of the site is in the Rural Area Beyond the Green Belt. The farmhouse and access in the southern third are in the Pirton Settlement Boundary (a Category A Village in the Local Plan), and are considered to appear as being within Pirton, albeit on the northern edge. The whole site is in the Pirton Conservation Area. A small number of dwellings are to the east and NE of the listed barn. The site passes over a stream where it turns NW after Building 2 (the site is in Flood Zone 1). A public right of way extends to the west of the site before crossing through it in a NE direction to the south of the listed barn.

4.2 **Proposal**

- 4.2.1 Listed Building Consent (LBC) is sought for a two and single storey extension to the barn in association with the conversion of the barn, to create a four bedroom dwelling. This would include internal and external alterations, including new openings. The barn would be used as a dining room, kitchen, and family room.
- 4.2.2 The application is in association with parallel planning application 23/02838/FP for the barn conversion and enlargement, associated new detached triple garage, and the erection of four new dwellings in the rest of the site to the south.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration includes the impact the proposed development would have on the special character, setting, and significance of the Listed Building. The listed building is a designated heritage asset for the purposes of this assessment.
- 4.3.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*
- 4.3.3 Paragraph 207 of the NPPF states that when *“determining applications, local planning authorities should take account of... the desirability of new development making positive contribution to character and distinctiveness”*.
- 4.3.4 Paragraph 212 of the NPPF sets out 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.

4.3.5 Paragraph 213 of the NPPF sets out that any harm to the significance of a designated heritage asset should require clear and convincing justification.

4.3.6 Paragraph 215 of the NPPF states *“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, where appropriate, securing its optimum viable use”*.

4.3.7 Policy HE1 of the North Herts Local Plan states:

“Planning permission for development proposals affecting Designated Heritage Assets or their setting will be granted where they (as applicable):

- a) Enable the heritage asset to be used in a manner that secures its conservation and preserves its significance;*
- b) Incorporate a palette of materials that make a positive contribution to local character or distinctiveness, where it is appropriate and justified; and*
- c) Will lead to less than substantial harm to the significance of the designated heritage asset, and this harm is outweighed by the public benefits of the development, including securing the asset’s optimum viable use.”*

4.3.8 The listed barn is a designated heritage asset as stated above, therefore the above sections of the NPPF, and Local Plan Policy HE1, are relevant to how the application is to be assessed.

4.3.9 The Council’s Conservation Officer has provided detailed comments on the proposal, which have concluded by raising an objection to the LBC application. The key comments from the Conservation Officer’s report are considered to be at 1.2, 1.3, 4.1, 4.3, and 4.8 as set out in the attached appendix 1.

4.3.10 The concerns of the Conservation Officer can be summarised as being:

- The overtly domestic appearance of the barn addition and alterations to the barn itself.
- The size, scale, siting, design and appearance of the two storey addition.
- Unknown impacts of new openings in the barn on its existing frame and historic fabric.
- Amount and size of new openings proposed for the barn.

4.3.11 The proposed extension would be a large addition, of a comparable size to the barn. The amount and size of the proposed new openings would be noticeable and are considered excessive. The proposed extension and alterations to the barn would be considered to be of an overtly domestic appearance, and together with the change of use that the works proposed would facilitate, would significantly alter the character and significance of the listed barn as a designated heritage asset.

4.3.12 The Inspector's Report relating to dismissed appeal 19/01275/OP, which didn't include the listed barn in the site, provided the following relevant comments:

14. The proposed dwelling closest to the listed barn could be designed to have the appearance of a rural building, which could also be smaller than the existing farm building. It could therefore maintain the existing long-established cluster of built form projecting into the countryside. However, domestic paraphernalia and the inevitable noticeable presence of permanent residential occupation would be visually intrusive and reduce the positive contribution made by the openness of the site to the surrounding countryside. This would therefore be harmful to the rural setting of the barn and the PCA.

22. The proposal would be harmful to the setting of the Grade II listed building and the PCA, which would have a harmful effect on their significance as designated heritage assets. The harm that I have identified would equate to less than substantial harm to their significance. In such circumstances, paragraph 202 of the Framework identifies that this harm should be weighed against the public benefits of proposals.

4.3.13 The above Inspector's comments are considered to remain materially relevant to the current LBC application, as little has changed in terms of the site, and the emphasis of relevant local and national policies is to assess the impacts of LBC applications on designated heritage assets such as the listed barn.

4.3.14 In this regard, the impacts of the LBC application on the significance of the designated heritage asset are considered to be greater than those of the outline application dismissed at appeal, as extensive and substantial works are now proposed to the barn itself, detailed plans have been provided of these works, and the barn is in the application site. There are also further concerns that a lack of detailed information has been provided of how the insertion of the new openings would affect the frame of the barn, and therefore whether these operations will be detrimental to the historic fabric and significance of the barn as a designated heritage asset.

4.3.15 The Conservation Officer has considered that all the proposed works will erode the significance of the barn causing harm to it as a designated heritage asset, has objected, and that the harms would be less than substantial. The degree of harm is considered moderate to high in the 'less than substantial' category. Many public objections have been received, however most of these don't concern matters relating to this LBC application. Those objections that relate to LBC issues are considered to have been taken into consideration in this report through the detailed assessment of the application.

4.3.16 Where harm would be less than substantial, as set out in para. 215 of the NPPF, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The Conservation Officer has considered that the optimum viable use is proposed, however that the public benefits from the proposal do not outweigh the great weight that has been given to the harms identified.

4.3.17 The views of the Conservation Officer are given significant weight, and planning officers agree with them. The proposal is therefore considered harmful to the significance of the listed barn at Wrights Farm as a designated heritage asset. The proposed development would fail to satisfy the provisions of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework (2023). The proposal would not comply with Policy HE1 of the Local Plan.

4.4 **Conclusion**

4.4.1 It is considered that the proposal would occasion less than substantial harm to the listed building's special character. Therefore, the proposal would fail to satisfy the provisions of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031.

4.5 **Alternative Options**

4.5.1 None applicable

4.6 **Pre-Commencement Conditions**

4.6.1 N/A

5.0 **Legal Implications**

5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 **Recommendation**

6.1 That Listed Building Consent be **REFUSED** for the following reason:

1. The proposed development, by reason of the size, scale, siting, design and appearance of the extensions and alterations; and the absence of detailed information on how the works will affect the fabric of the building; will be harmful to the significance of the listed building as a designated heritage asset. No public benefits are apparent to justify this harm. The development would fail to satisfy the provisions of Sections 16(2) and & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would fail to satisfy the aims of Section 16 of the NPPF and Policy HE1 of the North Hertfordshire Local Plan 2011 – 2031.