
Appeal Decision

Site visit made on 14 September 2015

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 21 September 2015

Appeal Ref: APP/Y3940/Y/15/3029371

Latimer Manor, West Kington, Chippenham SN14 7JQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Nina Dolan against the decision of Wiltshire Council.
 - The application Ref 14/05306/LBC, dated 27 May 2014, was refused by notice dated 9 April 2015.
 - The works proposed are described as the 'demolition of long redundant lean-to which is affixed to threshing barn'.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed demolition would preserve the special architectural or historic interest of the Grade II listed barn and the effect of the proposal on the setting of the Grade II* listed building of Latimer Manor.

Reasons

3. The barn, described in the listing as 'barn to west of Latimer Farmhouse', is an 18th century structure, constructed of rubble stone with a stone tiled roof. The southern elevation of the barn includes an off centre 2 storey gabled entry with lean to stables either side of the cart-entry. The cart entry on the northern side has a stone archway. The northern side also contains a corrugated tin roofed lean-to porch and a larger redundant stone lean-to, which is the subject of this appeal.
4. The lean-to is fairly substantial, measured as some 8m by 4m and 6-7m high on a submitted English Heritage memo, and is constructed of coursed rubble stone, with two internal masonry walls, of varying states of repair and completeness. The structure no longer has a roof and several substantial cracks were in evidence within the fabric of the lean-to, primarily from an aperture on the east elevation and along the joints between the structure and the main barn. An animal trough remains inside the east end of the unit and hints at a likely former use of the building; the remains of stairs and joist spaces also indicate that the structure used to have an internal floor. The lean-to, although stated to not be as old as the original barn to which it is attached, is still of some considerable age; the EH memo states that "it would appear that the building is an extension to the barn though the construction between the buildings is contemporary with each other".

5. Although the appellant states that farming uses at the Manor have not take place for some 15 years, the barn as a whole forms part of the historical farmstead for Latimer Manor. This farmstead includes various buildings, including the main two storey barn, single storey structures to the south and two single storey buildings constructed out to the west. The northern most of these spurs links up with the edge of the lean-to structure that is the subject of this appeal. Whilst these buildings are in differing states of repair, I consider that the coherence as a whole of the historic farmstead and the varying uses they would have had contributes significantly to the special interest and significance of the farm buildings and the setting of the Manor.
6. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building and any features of architectural or historic interest it possesses. Section 66 (1) of the same act states that, when considering whether to grant planning permission for development which affects the setting of a listed building, special regard should be had to the desirability of preserving this setting.
7. The proposal seeks to demolish the lean to-structure. It was clear from my site visit that the building has not been in use for a substantial period; stated by the appellant to be 50 years. The proposal would retain elements of the east and west walls where the structure forms part of the porch to the east and the single storey barn to the west. The appellant is of the view that, without use the structure will decay further and would be lost, and furthermore that there is no viable use for the building.
8. The demolition of the structure would permanently remove the building, leaving only survey information of what the lean-to entailed. Even in its dilapidated state the building provides a valuable evidential piece of history, indicating former uses of the previous farmstead. Demolition of the lean to would remove this history and would be irreplaceable. It would also adversely affect the setting of Latimer Manor, by virtue of removing a section of the historic farmstead of the Manor. Whilst other sections of the former farmstead could justly be considered more important to the setting of the Manor, the extent and diversity of the buildings to the rear of this building all combine to contribute to the setting of this Grade II* listed building.
9. The National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposal on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above I consider the proposal would result in harm being caused to the significance of the listed barn and to the setting of Latimer Manor. However, as the works would only affect a small section of the less interesting northern side of the barn, I am satisfied that the degree of harm caused in both cases would be less than substantial.
10. In such situations the Framework states that such harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. The appellant states that demolition would allow the north elevation of the barn to be viewed in its original state. However, this elevation is not particularly detailed, with some arrow slits and other markings created

by the lean-to itself. The tidying up of the area is also stated as a public benefit. However, the tidying up would be of limited local benefit and for the reasons given above I do not consider that the removal would enhance the barn; rather it would detract from it. As a consequence, what public benefits there might be are insufficient to outweigh the harm caused.

11. Planning Practice Guidance (PPG) states that disrepair and damage of a heritage asset and their impact on viability can be a material consideration in deciding an application. English Heritage have provided two repair options. Option 1 would reduce the rate of decay of the walls and stabilise them, whereas option 2 would provide a watertight internal space. Estimates are supplied which state that option 1 would cost around £30,000 to achieve. I appreciate that this is a substantial sum of money, and that the appellant has no viable use for the structure at present.
12. However, I consider a cheaper option of sheeting, as suggested by the Council could be used to prevent further substantial weathering damage to the structure. PPG notes that an optimum viable use may not necessarily be the original use of the heritage asset, as that use may no longer be economically viable or even the most compatible with the long term conservation of the asset. Whilst sheeting may not be a desirable long term aesthetic solution, if the structure is stabilised a viable use may be identified in due course.
13. The appellant considers a previous appeal decision in Derbyshire lends support to their case. Each case must be dealt with on its own merits, but in any event I note that the proposal in that case encompassed the conversion and restoration of a redundant building, and the proposal ensured the retention and reuse of the most significant part of the building which is cited as a considerable benefit of the proposal. Such a consideration has not been advanced in this case.
14. As the site lies within the West Kington Conservation Area (WKCA), I am required to pay special attention to the desirability of preserving or enhancing the character and appearance of the area, in accordance with Section 72(1) of the Act. However, in this case, as the proposed works are confined to a small section of a relatively secluded building, I am satisfied that overall the proposal would have a neutral effect on the character and appearance of the WKCA which would thereby be preserved. However, this does not outweigh my views on the adverse effect of the proposal on the significance of listed barn, nor on the setting of Latimer Manor.

Conclusions

15. I have concluded that the proposed demolition would not preserve the special architectural or historic interest of the Grade II listed barn. The proposal would also cause harm to the setting of the Grade II* listed building of Latimer Manor. The less than substantial harm that would be caused to the heritage assets has not been shown to be outweighed by public benefits of the proposal.
16. For the reasons given above I conclude that the appeal should fail.

Jon Hockley

INSPECTOR