



# Appeal Decision

Site visit made on 12 July 2022

by **David Jones BSc (Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 25 August 2022**

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**Appeal Ref: APP/L3245/W/21/3287465**

**Caegwision Farm, Pentreheylin Hall Junction To Caegwision Farm Junction, Maesbrook SY10 8QL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Gareth Hardcastle against the decision of Shropshire Council.
  - The application Ref 20/05228/FUL, dated 14 December 2020, was refused by notice dated 28 July 2021.
  - The development proposed is the change of use from agricultural buildings to residential holiday accommodation and demolition of existing barn.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The reasons for refusal set out in the Council's decision notice included insufficient information being provided in relation to bats and great crested newts. An amended great crested newt survey and updated bat survey were subsequently submitted as part of the appeal process. The Council has confirmed in its statement of case that following the submission of these surveys there is no longer any objection to the proposed development on ecology grounds. I have therefore dealt with the appeal on that basis.

## Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building as a non-designated heritage asset.

## Reasons

4. Caegwision Farm is a former farmstead which is now in solely residential use. The site consists of a 19<sup>th</sup> century farmhouse, and a range of traditional agricultural buildings located around the farmyard. The appeal building is located on the eastern side of the farmyard and is constructed in red brick with a slate tile roof. The appeal building forms an L-shape with another brick building which is attached at its north-west end.
5. The parties agree the appeal building forms part of a historic farmstead and has been identified a non-designated heritage asset (NDHA). Regarding the historic environment, the Planning Practice Guidance<sup>1</sup> (PPG) advises that decisions to identify non-designated heritage assets are based on sound evidence. Paragraph 203 of the National Planning Policy Framework (the

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<sup>1</sup> PPG Paragraph: 040 Reference ID: 18a-040-20190723

Framework) requires that when determining applications that affect the significance of a NDHA a balanced judgement is required, having regard to the scale of any harm, and the significance of the asset.

6. The Heritage Assessment (HA) submitted by the appellant highlights that Caegwision Farm was identified as a historic farmstead in the '*Historic Farmsteads Characterisation Project 2008-2010*', with the description referring to a 'regular courtyard comprising an L-Plan range'. The HA outlines that the significance of the appeal building is principally derived from its evidential and historic value as well as its contribution to the overall farmstead.
7. The HA acknowledges that, typically, historic farm buildings such as the appeal building are subject to minimal alterations or changes to the external fabric, and in this case the fact that the appeal building remains as part of a group of buildings which form the same farmstead contributes to its evidential value. Furthermore, the building retains a high level of illustrative historical value embodied in the built elements. I observed during my site visit that the appeal building appeared to be in relatively good structural condition and had retained its traditional and simple appearance and form with modest openings.
8. The appeal proposal is to convert the building into a four-bedroom holiday let accommodation. Although the proposed scheme predominately seeks to utilise existing or re-instate blocked up openings in the building, new additions and openings are also proposed. These new external additions and openings are principally to the northern and eastern elevations of the building.
9. Both the north and south gable elevations of the building are predominately solid with no openings at ground floor level on either elevation. No evidence has been provided which would indicate that the insertion of a ground floor opening would represent the reinstatement of an original or historical feature.
10. The proposed scheme however includes the creation of a new substantial glazed opening on the north gable elevation of the building. This new opening would incorporate virtually the full width and height of the north gable elevation. The scale, proportion and design of this opening would fail to relate to the historic character of the building or its existing openings and would appear as a visually incongruous feature, causing harm to the character and appearance of the NDHA.
11. The creation of this substantial new opening in the north elevation would also result in the loss of a large section of historic fabric, including existing detailing on the gable elevation. Although not readily visible from external vantage points, the loss of the historic fabric and its detailing would result in harm being caused to the significance of the NDHA.
12. The proposed development also includes the demolition and removal of the dilapidated and disused barn dating from around the 1970's which is situated immediately to the east of the building. The barn is of little significance and its demolition would have a positive impact on the significance of the NDHA by virtue of exposing the east elevation of the appeal building, which is currently largely obscured from view. The proposed scheme would result in the east elevation becoming particularly prominent, especially when entering the site via the proposed vehicular access.

13. A number of additions and alterations are also proposed to the east elevation of the building as part of the appeal scheme. These changes include the re-instatement of an arched opening, the blocking up of an existing doorway, the creation of 2no dormer windows, and the removal of three openings of various sizes towards the southern end of the elevation and subsequent replacement with a new single window opening. Cumulatively, these works significantly alter the appearance of the eastern elevation and introduce features which are more dominant and modern in design and appearance.
14. In particular, the new window opening towards the southern end of the elevation would be significant in size and almost square in proportions. The proposed window would be at odds with the size, type and design of the existing traditional openings on the building and would appear an alien feature, out of character with the host building. Additionally, the proposed roof dormers would not utilise existing openings and would detract from the traditional simple form and appearance of the building. No historical or practical justification has been provided which would weigh in favour of their inclusion, which would instead introduce new features onto what would be a prominent elevation.
15. No external alterations are proposed to the south gable elevation which will remain blank, whereas any proposed alterations to the west elevation generally retain and re-use existing openings. Consequently, the proposed works to these elevations would be in-keeping with the traditional appearance and form of the building and would not result in harm being caused to the significance of the NDHA.
16. I acknowledge that when converting an agricultural building into a residential unit it is highly likely that some minor external alterations are going to be required to facilitate the new use. However, I do not agree with the appellant that the alterations proposed to the northern and eastern elevation could be described as minimal. As described above, the proposed alterations to these elevations are significant and would fail to relate to the traditional and agricultural form of the building.
17. Overall, I conclude that the alterations to the northern and eastern elevations of the appeal building would detract from the character and appearance of the host property as a NDHA. In accordance with paragraph 203 of the Framework I find that, on balance, the proposed development would be detrimental to the architectural and historic character of the building and hence its significance.
18. The development would therefore conflict with Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) (CS), and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan (2015) (SAMDev). These policies seek, amongst other matters, to ensure that developments are of high-quality design and avoid harm or loss of significance to non-designated heritage assets.
19. The Council have also referred to Policies MD7a and MD12 of SAMDev. However, with regards to Policy MD7a this relates to housing development in the countryside including the conversion of buildings to open market use. The appeal proposal is for holiday let accommodation and not an open market dwelling, and therefore it is not directly relevant. MD12 relates solely to impacts on the natural environment, however the Council no longer object to the proposal on ecological grounds. As such it is no longer directly relevant to

the proposal before me which has been refused on the grounds of character and appearance. Additionally, criteria 3 of MD13 goes beyond the requirements of paragraph 203 of the Framework which calls for a balanced judgement of any harm against the significance of the heritage asset. I have therefore used the wording of the Framework, which the proposal fails to comply with.

### **Other Matters**

20. The reasons for refusal set out in the Council's decision notice includes concerns regarding fire regulation compliance. I agree with the appellant that this is predominantly a Building Regulations matter as opposed to a planning matter. I do acknowledge however that compliance with fire regulations may potentially result in alterations to the internal layout being necessary. In any event, as I have found against the appellant on the main issue, and therefore planning permission is to be refused, this matter need not be considered any further in this case.
21. The appellant contends that the proposal would represent sustainable development. I acknowledge that the proposed development would provide economic and social benefits through the construction phase and the additional contributions of users of the holiday let to the local community. The proposal would also benefit tourism and attract new visitors to the area. Taking these points together, I find that the benefits of the proposal would not outweigh the harm I have identified that would be caused to the character and appearance of the NDHA which would be long lasting.
22. The appellant has referred to the permitted development rights granted by Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, whilst the starting point in determining proposals for such prior approval is that the permitted development right grants planning permission, that is subject to the prior approval of a number of matters including the design or external appearance of the building. Therefore, this is not an unqualified right and the matter is of limited weight.
23. The appellant has also drawn reference to three planning permissions<sup>2</sup> which have been granted by the Council for the conversion of agricultural buildings to residential uses, which the appellant considers to involve similar or more substantial alterations than the appeal proposal. I do not have the full details of these developments before me, though the Council contend that there are significant differences between them and the appeal proposal. Therefore, I cannot be certain that there is any direct comparison between the proposal and these planning permissions that weighs in favour of the appeal.
24. I have also been made aware that the Council has recently granted planning permission (Ref 22/00907/FUL) at the appeal building for the 'Change of use from agricultural buildings to residential holiday accommodation and demolition of existing barn'. This permission however includes a number of changes from the appeal proposal, including the omission of the proposed glazed opening on the north gable elevation, the omission of the proposed dormer windows on the east elevation, and alterations to the size and design of the proposed window towards the southern end of the east elevation. As a result, the approved scheme addresses the concerns I have raised above.

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<sup>2</sup> Council References 20/02129/FUL, 21/03462/FUL & 20/04680/FUL

25. I note the representation in support of the proposal from the Parish Council, which they consider will help conserve the NDHA. However, as referred to above, the building appears to be in relatively good structural condition and there is no evidence before me to suggest that there is any immediate threat to its existence. Furthermore, as set out above I have found that the proposed development would be inappropriate and result in harm being caused to the significance of the NDHA.

**Conclusion**

26. The proposal would conflict with the development plan and there are no material considerations, including the approach of the Framework and worthy of sufficient weight, which would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

*David Jones*

INSPECTOR