



PROJECT : Site West Of Lordship Farmhouse, Pirton Road, Holwell, Herts, SG5 3SS

DOCUMENT : Built Heritage Statement

CLIENT : Netherdown (Herts) Ltd



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PARTNERSHIP

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Introduction



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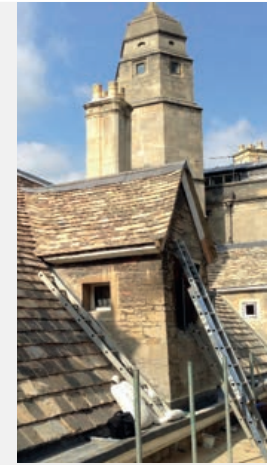
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Ward-Booth Partnership



CONSERVATION

Working with cutting edge technology we build survey grade digital models of historic buildings and work with highly skilled craftsmen to repair and conserve these buildings for future generations. Working with the owners of listed buildings we help them to achieve improvements and ensure the best balance between conservation and the requirements of modern living.



HERITAGE SUPPORT

Using our knowledge of historic buildings and the planning system we provide heritage statements and built heritage advice to support the work of architects, developers, private clients and planning consultants. We support contemporary architecture and provide help and advice to enable new development in historic locations and to make possible the alteration and extension of Listed Buildings.





chance of obtaining Planning Permission and Listed Building Consent.

He has served on the St Albans Diocesan Advisory Committee, is an RIBA prize winner and has designed and obtained planning permission for a PPG7 Country House.

ROBERT WARD-BOOTH - CV

Bsc (Hons) Building Surveying, MRICS, DipBldgCon, IHBC

Robert holds a BSc (Hons) degree in Building Surveying an RICS Diploma in Building Conservation and is a member of both the RICS and IHBC.

He has over 25 years experience in the planning, design and development sectors and previously worked as a Conservation Officer. Since 1998 Robert has undertaken a range of design, conservation and development work for private owners, private estates, private developers and public authorities. In this capacity he has acted for South Bedfordshire District Council, Bedfordshire County Council, Luton Borough Council and Central Bedfordshire Council and provided these councils with design and conservation advice for Development Control purposes.

Acting for private clients he provides help and advice to enable new development in historic locations and to make possible the alteration and extension of Listed Buildings.

As part of his work he supports contemporary architecture and provides advice and evidence for planning appeals at hearings and public enquiries . Robert provides conservation and design advice to support the work of architects and planning consultants so that new developments can have the best possible



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Site Assessment



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Site West of Lordship Farmhouse, Holwell

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Location

Overview



Site

Neighbourhood



Site

Site



Site Photography



P1. View of main barn group Looking North



P2. View of main barn group looking north



P3. View of barn 2 looking north east



P4. View of barn 2 looking north



P5. View of barn group looking north west



P6. View from within central yard looking south east

Site Photography



P7. View of main barn group looking east



P8. View looking south east towards Listed barn (barn 1)



P9. View looking south west towards main barn group



P10. View of detached pole barn at north of barn group



P11. Typical internal view of Listed barn (Barn 1)



P12. Typical internal view of Listed barn (Barn 1)

Site Photography



P13. Typical internal view of barn 2



P14. Typical internal view of barn 2

Description



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Site West of Lordship Farmhouse, Holwell

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Description

Lordship Farm lies close to the border of Bedfordshire and Hertfordshire and is set within the historic rural settlement of Holwell which is recorded in the Domesday survey of 1086 and which can be traced back to the Anglo Saxon period when it was granted to Westminster Abbey.

The Central Bedfordshire Heritage and Environment Record provides evidence of Medieval settlement earthworks (HER 21826), showing rectilinear earthworks with possible earthwork remains of Fishponds on the Hertfordshire side (although these are not recorded within Hertfordshire HER).

Lordship Farmhouse is recorded in the Hertfordshire HER (MHT15599) as a Grade II Listed timber-framed farmstead (National Heritage List for England (NHLE) entry number 1103222) and the List Description for the building is as follows:

Farmhouse. C17 or earlier. Timber frame on tarred brick plinth, roughcast, painted brick casing to parts of ground floor, steep old red tile roofs. A 2-storeys asymmetrical H-plan house, set back from road, facing S into yard, with 2-storeys and attics W parlour crosswing, long E service crosswing with lean-to and single-storey gabled extensions on E. Gabled porch in angle with E wing. Large internal chimney probably built as an insertion in a former cross-passage at E end of hall range, 2 diagonally set square shafts. Similar shafts to projecting chimney on W wall of W crosswing. Rectangular projecting chimney on E side of E crosswing enclosed in gabled extension. S front has a flush 3-light casement window on each floor of hall range and each crosswing. Dripboards across W wing gable at 1st floor and eaves level. Rear (N) elevation has 2-light casement windows, small window to stair in NE corner of parlour crosswing, and fine Jacobean 2-storeys canted bay window to recessed hall range, with its own gabled roof, ovolo transomed mullioned leaded lights, and iron opening lights. Rear door to N end of cross-passage. Hall floor carried on axial beam.

Directly to the west of the farmhouse and forming part of the proposed development site is Grade II Listed Lordship Farm Barn which is described as:

Barn. C17. Timber frame on stuccoed brick sill, dark weatherboarded with steep pitched roof now slated. A wide, 5-bays barn facing S, with double doors in 2nd bay from E and winnowing door in N side of same bay. Adjoining buildings to SW not of special interest. Heavy jowled posts and unjowled mid-bay posts. Mid-height rail jointed in-line, straight tension braces above this rail, long straight braces to tie-beams. Single clasped-purlin to each roofslope carried on heavy inclined queen-posts. Middle-post to gable and long straight tension braces. Included for group value.

The third historic building within the former farm group is a non-designated five bay barn aligned north-south and attached to the southern flank of Lordship Farm Barn. This was originally of timber frame construction (18th century or earlier) but has been substantially re-worked with rebuilding of the southern half of the east elevation in brickwork in the 1870's and then subsequent re-building of the southern gable during the post war period.

The earliest features recorded for the locality are stray finds of Roman glass (MHT4518) near to the church to the north of the Lordship Farm and Roman pottery and coins (3rd - 4th century dates) found 391m to the north west.

Although Lordship Farm is of 17th century date, it is located within an area of medieval ridge and furrow and other earthworks (MHT1115) comprising hollow ways, platforms and possible quarry holes which provide strong evidence of a former medieval settlement which pre-dated the farmstead which can be seen today.

To the south west is The Moat House (MHT 15600). This is a Grade II listed building (NHLE entry no 1347088) comprising a timber-framed open hall with 17th, 19th and 20th century additions. The house is surrounded, at least in part,

by a moat (MHT1930) which is seasonally dry. Within the garden of the house possible earthworks of further buildings are also noted. An undated linear feature (MHT 31625) was recorded during digging of footings for new houses and it is thought these may possibly be related to the moat.

To the north of the search area is the Grade II Listed Church of St Peter (MHT1182), which was rebuilt between 1877 & 1879 (although it has retained some 14th & 15th century features) whilst to the south is Grade II Listed Old Rectory (MHT16505), built in 1831.



EXTRACT MAP SHOWING LISTED BUILDINGS IN THE VICINITY OF THE APPLICATION SITE

At the time of writing some early 19th Century small scale mapping for site is provided by the Ordnance Survey surveyor's drawing from 1804 and the first issue Ordnance survey plan for the locality published in 1834.

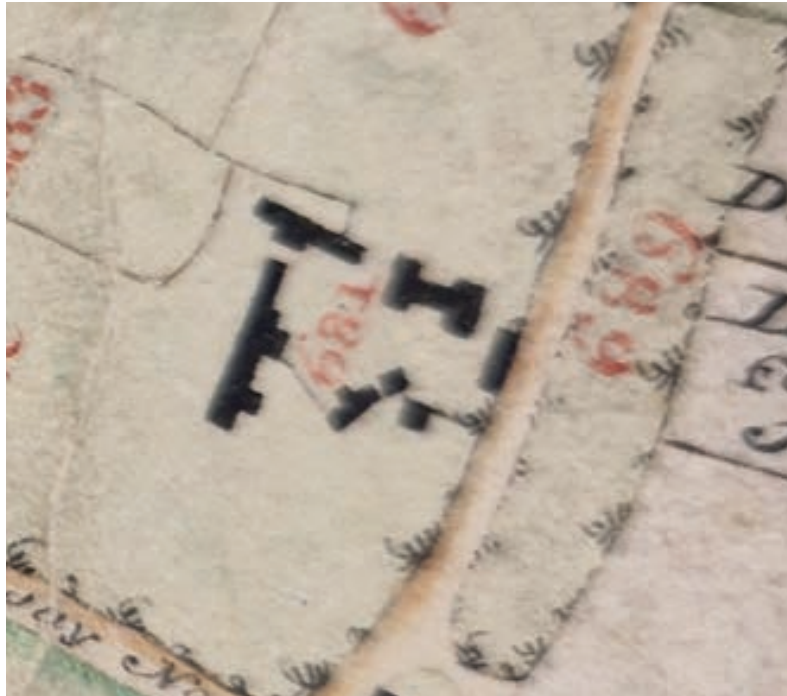


EXTRACT FROM 1804 ORDNANCE SURVEY SURVEYORS PLAN



1834 ORDNANCE SURVEY MAP

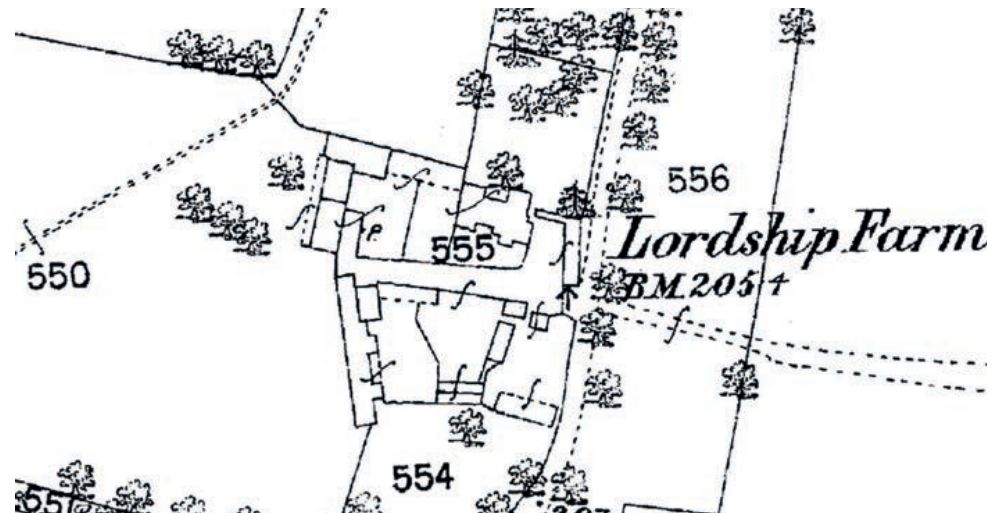
Whilst this small scale mapping is helpful in giving an indication of the overall form of the farmstead much greater detail is provided by the 1817 enclosure map for Shitlington (now Shillington) and Holwell (at that time Holwell was within the County of Bedfordshire). The map does not name Lordship Farm, but it shows the outline of the farm buildings in some detail and we are able to relate these to the historic buildings which can be seen on site today.



EXTRACT OF 1817 Enclosure Map

In this regard, it is worth comparing the relationship between the buildings shown in this 1817 map with the 1882 and 1901 Ordnance survey plans for the site and present day OS mapping.

Interpretation of this map evidence in the context of the two historic barns (Listed Barn 1 and non-designated Barn 2) and the building fabric which can be seen on site is considered in more detail below.



1882 ORDNANCE SURVEY EXTRACT



EXTRACT OF 1901 ORDNANCE SURVEY MAP

Perhaps the easiest of the historic farm buildings to interpret is the Grade II Listed Lordship Farm Barn which is shown hatched green on the 1882 OS overlay below.

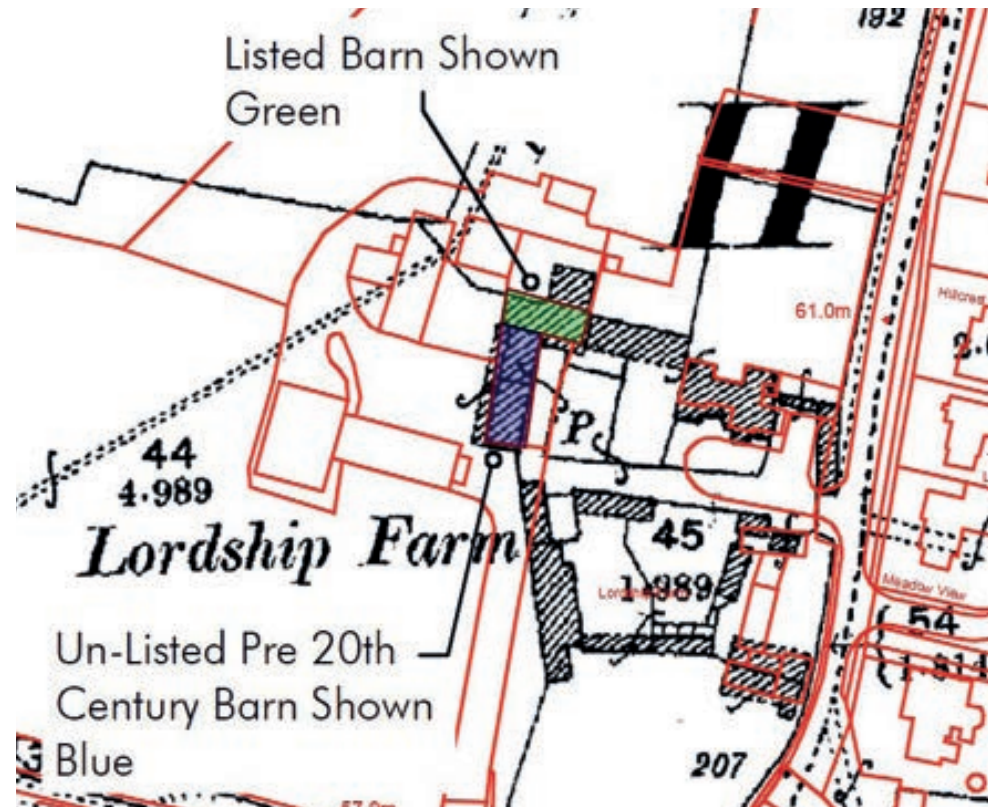
This comprises a gabled 5 bay box frame with joweled principal wall posts, with heavy close studding, and heavy section roof plate, mid rail and cill beams set on a masonry plinth of mixed brick, chalk, clunch and flint/stone construction. The roof structure has been re-built with replacement sawn softwood rafters and purlins constructed as a queen strut roof structure carried off the original tie beams. Although not universal, the structure is generally characterised by straight wall bracing.

The visual character of the surviving original sections of timber frame is consistent with 17th Century construction. However, I would assume that the replacement slate roof and associated replacement softwood rafters and purlins were constructed as part of a substantial phase of repair and re-building during the late 19th or early 20th centuries.

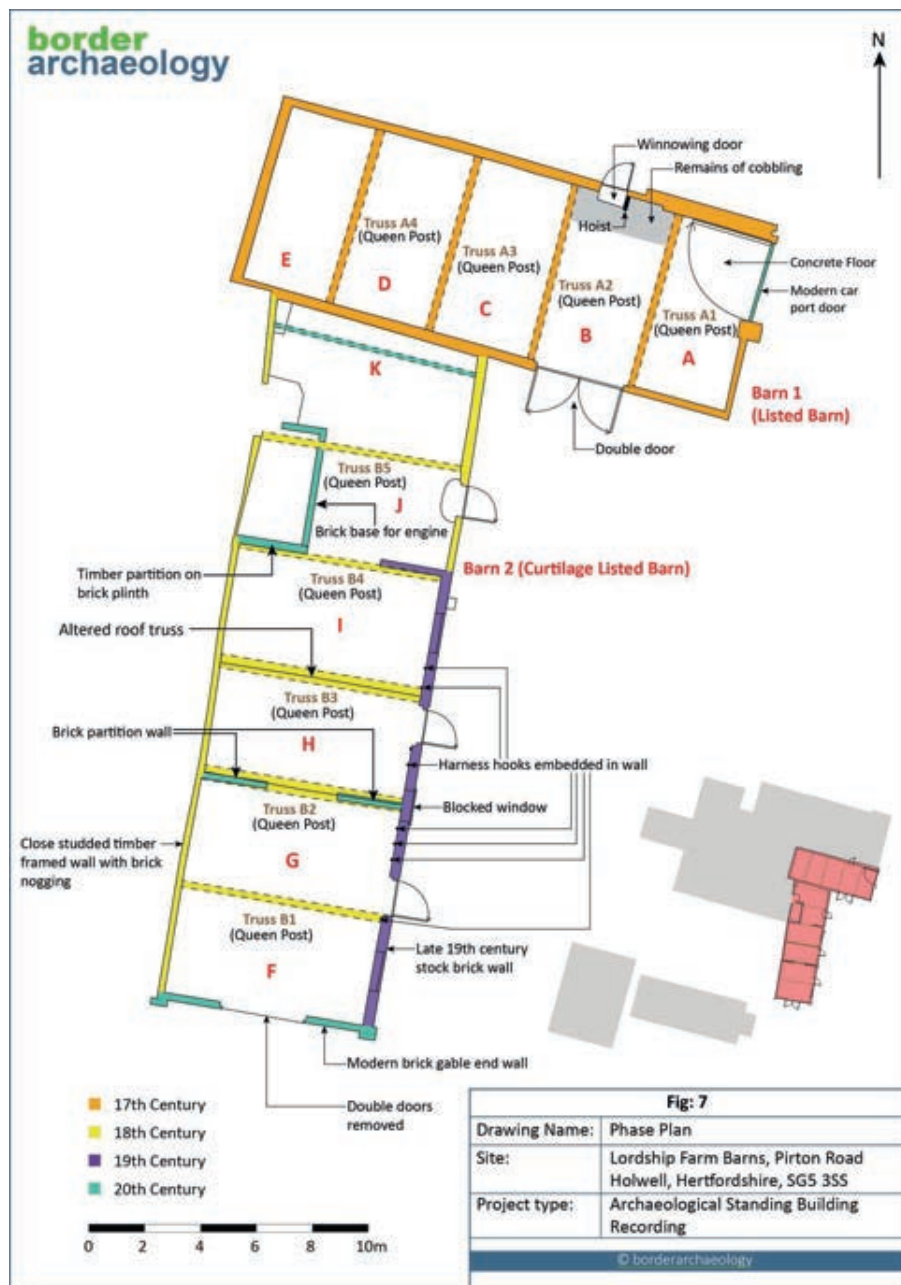


INTERIOR VIEW OF LISTED 17th CENTURY BARN SHOWING REPLACEMENT SOFTWOOD ROOF STRUCTURE ABOVE ORIGINAL BOX FRAME

Overlay of the modern OS Plan on the 1902 Map extract shows that the location of the Listed Barn is consistent with that of the north west barn shown on late 19th century mapping and this in turn is consistent with that of the core of the main north west barn shown on the 1817 enclosure map.



Much more difficult to interpret is the non-designated historic barn which is shown coloured blue on the above extract (Barn 2) and which is attached to and which extends southward from the Listed Barn. From site inspection it is obvious that this structure has gone through a number of significant phases of construction, alteration and re-building and the associated Border Archaeology Archaeological Standing Building Recording report provides a helpful phase plan which suggests 3 principal stages in the evolution of the structure over the course of the 18th, 19th and 20th Centuries.



This broad assessment of the phase development of the building is consistent with the general pattern of construction which can be seen on-site today and which is illustrated in the photographs below.



WEST ELEVATION OF BARN 2 SHOWING TIMBER FRAME WITH BRICK INFILL (IDENTIFIED AS ORIGINALLY OF 18th CENTURY CONSTRUCTION ON BORDER ARCHAEOLOGY PHASE PLAN)



SOUTH GABLE RE-BUILT DURING 20th CENTURY



SOUTH END OF EAST ELEVATION IS OF LATE 19th CENTURY BRICK CONSTRUCTION

The latter two phases of 20th Century and late 19th Century re-building appear very straightforward and, as with the adjoining Listed Barn, it would appear that the late 19th century re-building works included removal of the original roof and construction of a new slate roof covering with new softwood rafters and purlins supported on retained elements of the older timber box frame and associated tie beams.

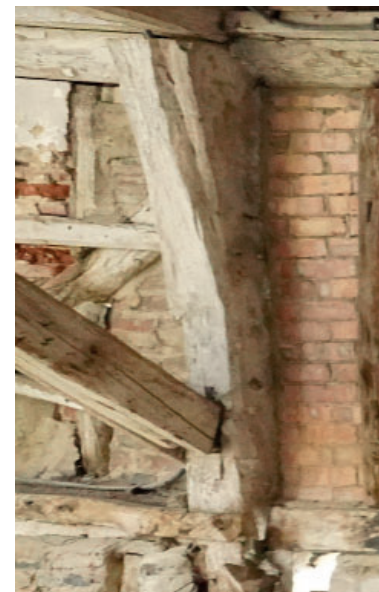


REPLACEMENT SOFTWOOD RAFTERS CARRIED ON OLDER ADAPTED TIE BEAMS AND RESIDUAL RETAINED ELEMENTS OF OLDER TIMBER FRAMED STRUCTURE.

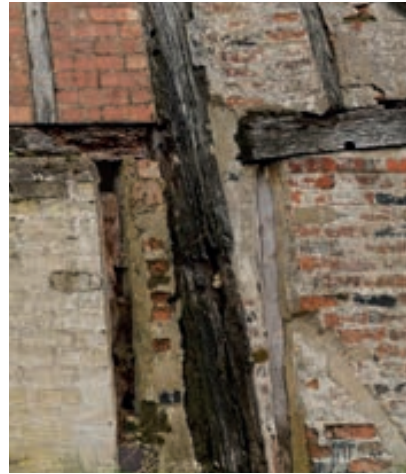
However, the detailed provenance and construction phasing of the older sections of timber framing is more difficult to discern.

In this regard, it is clear that there are some significant discrepancies in the form and pattern of the surviving sections of timber frame.

By way of example, inspection suggests that surviving sections of timber frame include principal wall posts with both plain and joweled heads and that jointing of the midrail into the wall posts on the west elevation varies with most wall posts showing pegs holes for fixing of the mid-rail tennons whilst the wall post between bays G and H does not have peg holes and adjoining sections of mid-rail appear to be carried on cripple studs each side of the main post.



INCONSISTENT DETAILING OF WALL POSTS WITH BOTH JOWELED & PLAIN HEADS



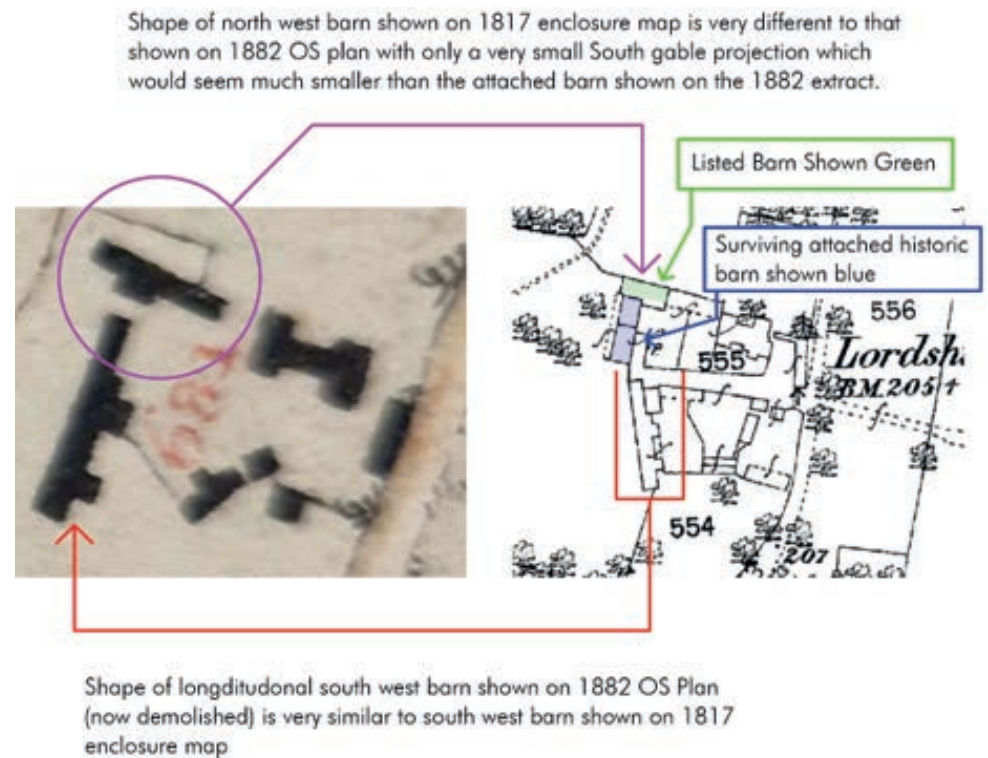
ADJOINING WALL POSTS. RIGHT HAND POST HAS PEG HOLES TO SECURE TENNONS OF MID-RAIL. LEFT HAND POST HAS NO PEG HOLES WITH POSSIBLE CRIPPLE STUDS TO SUPPORT MID RAIL



PLINTH & FRAMING TO BAYS J & K IS INCONSISTENT

By way of further example the photograph attached above shows the internal view of the eastern elevation of bays J and K (as Border Archaeology phase plan) with clear inconsistencies between the plinth construction, setting out of timber framing and timber sections of bay K (on the left of the photograph) and bay J (on the right of the photograph).

In considering these apparent inconsistencies it is also interesting to compare the detail of the 1817 Enclosure map and the layout of buildings shown on subsequent late 19th Century OS plans.



Clearly, the 1817 enclosure map is not of the same accuracy as an Ordnance Survey Plan, the layout of buildings shown on the plan amounts to a sketch layout of the site rather than a formal survey drawing and it would not be possi-

ble to scale dimensions from a plan of this type

However, it would be normal to expect that the basic shape and basic relationship of the buildings which are shown on the 1817 plan would have been a reasonable representation of the layout of the site as it then was.

In this context, comparison of the 1817 plan with the subsequent Ordnance Survey plans from 1882 and 1901 raises some interesting questions as to how the site evolved over the course of the 19th century.

In particular, the shape and proportions of the North West barn shown on the 1817 plan and which must have included what is now the Listed Barn (barn one) is quite different to the combined form of what are now barns one and two and quite different to the combined form of these barns as recorded on the 1882 and 1901 OS plans. It is also noticeable that the shape of the barn shown on the 1817 plan included only a very small southern projection which appears wholly inconsistent with the extended 6 bay form of barn 2 as it is seen on-site today.

It is also noticeable that the overall shape of the south-west barn shown on the 1817 plan is very similar to the form of the south-west barn shown on the 1882 and 1901 OS plans (which has subsequently been demolished) but appears to be located on a different orientation and in a different position to that shown on this late 19th Century mapping.

In truth, the interpretation of the apparent discrepancies between the 1817 and 1882 mapping and physical reality of the historic barns which can be seen on site today is very speculative and there are a number of different options which we should consider.

The first is that the position of the south-west barn shown on the 1817 plan was inaccurately drawn and that this barn was in fact the same as the South West barn shown in a somewhat different position and different orientation on the 1882 Ordnance Survey plan. Indeed, the shape of the south-west barn shown on the 1817 plan is so similar to that of the south-west barn shown on the 1882 OS map that this similarity would seem unlikely to be a simple coincidence. On this basis, and given that 1817 enclosure plan amounts to a sketch layout there is a possibility that this is the case, that the south-west barn shown on the 1817 map

was the same building as the south-west barn shown on the 1882 and 1901 OS maps and that this building was subsequently demolished and lost during the 20th century.

It is more difficult to rationalise the apparent differences between the shape of the north-west barn on the 1817 plan with that of the two historic barns which can be seen on site today (barns one and two) and the equivalent buildings clearly shown on the 1882 and 1901 ordnance survey mapping.

The length of the southern projecting wing formed by barn 2 as it extends south of the Listed Barn (barn 1) is substantially longer than the length of the Listed Barn and although acknowledging that the 1817 enclosure map amounts to a sketch plan it would still seem difficult to accept that a building the size of what is now barn two would have been so inaccurately represented that it would have been shown as the very small southern projection which is illustrated on the 1817 map.

Although very indicative it is also noticeable that enlargement of the 1834 OS plan does show two separate buildings on the western and north-western side of the farm group with one smaller building to the north where it aligns east-west with the farmhouse and then one larger building to the south west which aligns north-south. What is not shown is an L shaped building comparable with the combined form of Barns 1 and 2 as seen on site today.



ENLARGED EXTRACT FROM 1834 OS PLAN

However, it is also apparent from site inspection that the timber frame structure of barn two includes elements of fabric which date back to at least the 18th-century with some individual timbers which may well be somewhat older than that. Indeed, my impression of the older soft red infill brickwork and brickwork nog-gins is that this would, at face value, seem entirely consistent with 18th-century construction work.

Given this, the second option is that the size and shape of the north-west barn shown on the 1817 plan is simply very badly drawn, that the layout suggested by the 1834 OS plan is wrong, that the length of the very small southern projection shown on the 1817 plan is erroneous and that at that time, what is now barn two, did exist in substantially the same form as that which can be seen today.

That said, there do appear to be some pretty significant discrepancies in the detailing, setting out and construction of the older elements of timber frame construction retained in Barn 2.

These may simply indicate that the “original” timber frame section of this building was constructed with salvaged timber and/or that the timber frame elements of the barn have been subject to additional phases of alteration and significant structural repair in addition to the late 19th century re-building of the south-east flank of the barn and the subsequent rebuilding of the southern gable during the 20th century.

A further third option, and an option which I intuitively feel to be more likely, is that there was an older timber framed barn located to the south of what is now the Listed Barn (Barn 1) at the time of the 1817 map, that the position of the south west barn on the 1817 map was accurately drawn and that this barn was then truncated at its southern end but then also extended northward to join onto what is now the Listed Barn.

This option would help to explain some of the apparent differences between the plinth construction and timber framing of bays J and K (as Border Archaeology phase plan) and bays F, G, H and I to the south. However, this would also require us to accept that the very clear similarity between the shape of the south-west barn shown on the 1817 plan and that of the south-west barn shown on the 1882 OS map was purely coincidental and that the south-west barn shown on

the 1817 plan was substantially demolished and truncated with a new barn of very similar shape been constructed somewhat to the east when the farmyard was re-worked during the late 19th century.

At the time of writing, I do not have sufficient information to make a reliable judgement. However, and on balance of probability my instinctive reaction is that the third of these options is most likely and that the southern four bays of barn one probably do date back to at least the 18th-century with the timber frame of the two northernmost bays be constructed as infill and /or an adaptation of the small southern projection of what is now the Listed Barn as illustrated in the 1817 enclosure map.

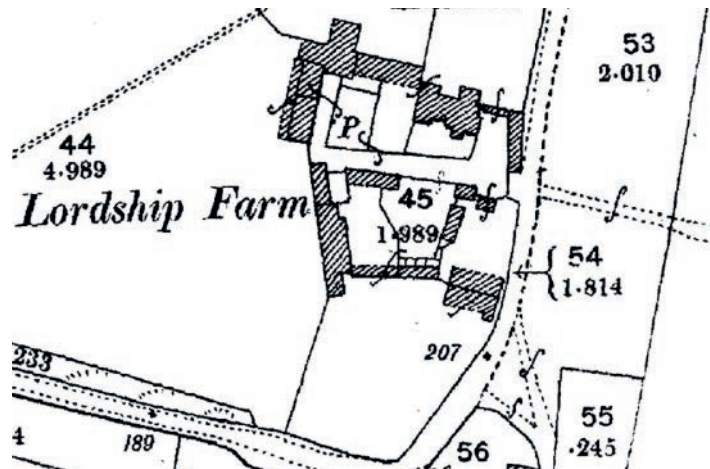
Understanding the development of the farm group over the last quarter of the 19th century and over the course of the 20th century is somewhat easier with clear documentation and ordnance survey mapping which allow us to trace how the site has developed over this period.

In this regard, the assessment provided by Border Archaeology as part of their archaeological standing building recording work highlights the redevelopment of the farm group during the late 19th century with specialisation of the farming regime and increased provision of accommodation for cattle which included the partial rebuilding of the southernmost for bays of Barn two by Joseph King who was the farm tenant at that time.

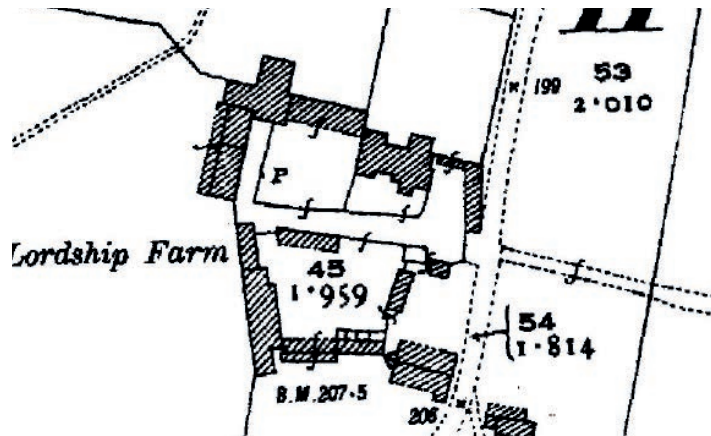
These changes are reflected in the form of the farm complex illustrated in the OS Map for 1901 which shows Lordship Farm House set in the North East corner of a large farm group and with barns and farm buildings arranged around all four sides of the central yard.

A single access extended into the site from Pirton Road to the East with separate spurs at each end to serve the farmhouse and what is now Lordship Farm Barn.

However, the remainder of the farmyard to north and south of the central access drive was divided into enclosed stockyards intended for management of live-stock. Very little change occurred over the next quarter century and the 1921 OS extract remains essentially unchanged.



1901 OS EXTRACT



1921 OS EXTRACT

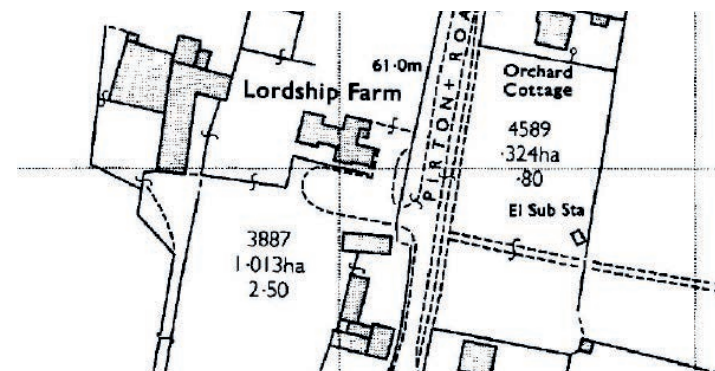
However, the postwar period brought dramatic change and by the end of the 1960's the great majority of the former barns and agricultural buildings had been demolished and the majority of the former stock enclosures were removed

resulting in effective loss of the form of the historic farm-group. Of the principal historic farm buildings only the Listed Lordship Farm Barn (barn 1) and the attached non-designated barn (barn 2) survived.



1969 OS EXTRACT

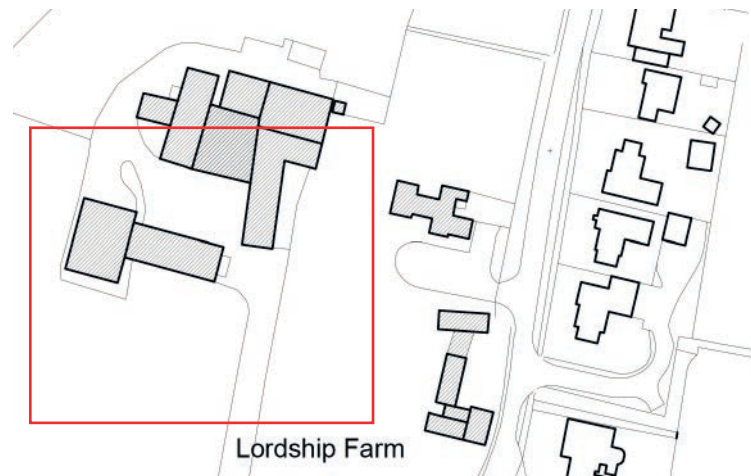
The farm then appears to have had something of a commercial resurgence. The farmhouse was physically separated from the working farm, substantial new farm buildings were constructed on the western and northern sides of the Listed Barn and the working centre of the farm was moved westward around a new farmyard with a new access road being constructed south to Waterloo Lane.



1979 OS EXTRACT

Commercial expansion of the new farmyard continued over the last decades of the 20th century and the current OS Plan for the site graphically illustrates the

impact of late 20th century development with a substantial range of modern utilitarian farm buildings constructed around the new farmyard.



CURRENT OS PLAN

However, continued changes in the agricultural economy have now rendered the farming operation at the site unviable and the farm-group is redundant. The inevitable consequence of this is that the building group has begun to fall into disrepair with obvious evidence of decay and failure of the fabric of the historic buildings including both the Listed Barn (barn one) and the non-designated barn to the south (barn two).

Whilst the Listed Barn remains structurally sound there is obvious decay of the slate roof covering and weather boarded external cladding resulting in water penetration and consequential decay. Over time, further accelerated failure of the roof covering and external cladding is to be expected which will result in progressive decay of the internal structure and long term structural failure.

Barn two is in a much worse condition of disrepair and in addition to problems of water penetration and consequential decay the timber frame of the western elevation of the building is now at the point where there is a serious risk of structural failure.

The elevation is heavily deformed as a result of extensive long-term decay of the structural timber frame with large sections of the original frame having been rebuilt on an ad hoc basis over the post war period with poor quality brickwork repairs.

However, decay of the timber frame has continued and many of the remaining structural timbers within the surviving wall framing are in a very poor condition and at risk of structural failure.



EXAMPLE OF SERIOUS DECAY TO TIMBER FRAME OF WEST ELEVATION OF BARN TWO



PHOTOGRAPH SHOWING FAILURE OF ROOF COVERING AND EXTERNAL CLADDING OF LISTED BARN

STATUS OF HISTORIC BUILDINGS AT LORDSHIP FARM

Lordship Farm House and Lordship Farm Barn are designated Grade II Listed Buildings which are afforded Statutory Protection so that Listed Building Consent will be required for any works which affect the character of these buildings as buildings of Special Architectural and Historic Interest.

However, none of the other buildings at Lordship Farm benefit from individual designation and we therefore need to consider whether any of these buildings, and in particular, barn two, should be considered as forming part of the Listed Buildings either by virtue of attachment to the physical fabric of the Listed Buildings themselves or, in the case of pre-1948 building structures, where these are

Curtilage Listed by virtue of being located within the curtilage of the principle Listed Building.

In this regard the advice provided by the Council Conservation Officer at the time of earlier applications 22/01842/FP & 22/01843/LBC stated that:

“ Although noted as not being of special interest to merit listing in its own right, the part timber frame/part brick building attached to the south appears to be a former stable/storage building which turns its back onto the farmyard and faces the farmhouse. Historically, this barn and its listed neighbour were accessed from the East, from an access that also serve the farmhouse. This attachment to the listed barn is considered to be curtilage-listed. I am satisfied that other buildings within the farm, do not possess curtilage-listed status.”

It is self-evident that the barn which is attached to the south flank of the Listed Barn is a historic building structure and intuitively one might want and indeed expect that it should be regarded as a curtilage listed structure. However, the fact that we might expect or indeed wish that the structure benefits from statutory protection does not necessarily make it so.

The assessment of the Curtilage of a Listed Building is a matter of fact for determination by the decision taker on the basis of the particular circumstances of each individual case. However, case law has established the basic principles which should be taken into account and the principal case dealing explicitly with the definition of Curtilage in the context of Listed Buildings is Attorney General ex rel Sutcliffe v Calderdale BC [1983] J.P.L.

This indicates that the three basic factors which should be taken into account in deciding whether a structure was within the Curtilage of a Listed Building at the date of Listing are as follows:

- the physical “layout” of the Listed Building and the structure;
- their ownership, past and present; and
- their use or function, past and present

The test of ownership relates to ownership at the time that the principal buildings

were Listed. In this regard, Lordship Farmhouse was designated at a relatively early date (1969) and in the absence of evidence to the contrary, and on the balance of probabilities, it is reasonable to assume that barn two would have been within the same ownership as Lordship Farmhouse when the farmhouse was Listed.

Similarly, it is reasonable to assume that barn two would have been within the same ownership as Lordship Farm Barn when this was Listed in 1988.

The status of barn two therefore depends on our assessment of the layout of this barn relative to the adjoining Listed Buildings and relationship between the use and function of these Listed Buildings and barn two.

Historically Lordship Farm comprised a single functional unit which included both the farmhouse and the other agricultural buildings within the farm group.

Until 2008 the physical proximity and historic functional relationship between the Listed farmhouse and other non-designated pre-1948 farm buildings would have meant that the assessment of Curtilage to determine the status of the buildings would have been regarded as being quite straightforward and, based on the then prevailing body of case law, it would have been normal to conclude that all of the pre-1948 buildings within the farm group should be regarded as being Curtilage Listed.

This approach reflected the facts in the Calderdale Case where mill workers cottages which were attached to a mill were considered to form part of the curtilage of the main Listed mill building and commentary of Keith L.J in *Debenhams PLC v Westminster City Council* [1987] A.C. 396 which, in providing examples of Curtilage structures, included “the steading of a farmhouse”.

However, the judgement in the “Jews Farmhouse” case (*R v Taunton Deane Borough Council* [2008] EWHC 2752 (Admin)) does now render the determination of curtilage in the context of farmyard groups very much more problematic.

The facts in that case were that the Listed farmhouse had a separately defined domestic curtilage which was clearly separated from the nearby farm buildings which were detached from and some distance away from the farmhouse. Whilst

the farmhouse and the adjacent agricultural buildings were all constituent parts of the same farming enterprise the Listed farmhouse and its residential curtilage were both physically separated from and functionally distinct from the adjacent agricultural land and buildings on the site. Because of this, the Court held that the nearby agricultural barns could not be considered to be within the Curtilage of the Listed farmhouse. In this regard, paragraph 26 of the judgement is particularly informative in setting out the logic behind the conclusions which were reached by the court:

“ The primary use of the farmhouse was as a house. The farm, as a whole, was not listed, the farm house was listed, and its curtilage as a house was clearly defined by the wall which separated the residential use within the wall from the agricultural use that was being carried on in the agricultural buildings.....”

The underlining of the word house is explicit within the judgement and although in the facts of that case the adjacent barns were physically separated from the farmhouse the wording of paragraph 26 suggests that determining factor in assessing the curtilage of the Listed farmhouse was the extent of the curtilage which was in residential rather than agricultural use.

The core issue is therefore whether, both historically and at the time that the farmhouse was Listed in 1969, barn two was used for ancillary domestic purposes and whether it fell within the residential curtilage of the farmhouse.

In essence, we must determine whether barn two was in agricultural use or whether it was either in whole, or in part, in ancillary domestic use.

The comments and advice provided by the Council Conservation officer at the time of earlier application 22/01843/LBC describes barn two as being a former stable/storage building and if there were evidence to suggest that the building was used for ancillary domestic storage to serve the farmhouse or that the building was being used as stabling for horses which were kept for the domestic use of the residents within the farmhouse then it would be reasonable to conclude that barn two should be regarded as a Curtilage Listed Building.

However, the analysis provided by Border Archaeology makes clear that the 19th

century rebuilding of barn two was designed to convert the building into a cow house and the report provides evidence of mid-to-late 20th century alterations which included installation of an engine resting on a brick base which was probably utilised for the processing of animal feed. Whilst the report records the survival of rows of cast-iron hooks which are presumed to have been primarily used for hanging harnesses the report concludes that this suggests that the cow house may have, at some point, been used to house draft oxen.

Whilst Border Archaeology's report considers the possibility that the building may have been used to house shire horses rather than cattle it makes the point that there is no evidence for stalls, mangers or hay racks within the barn so that there is no evidence that the building was used for stabling after its redevelopment in the 1870s.

On the basis of site inspection, evidence from historic mapping and analysis provided by Border Archaeology I find that, on the balance of probabilities, barn two was historically, and at the date at which Lordship Farmhouse was Listed, an agricultural building which was in agricultural rather than ancillary residential use.

Following the principles established in the "Jews Farmhouse" case the use of barn two was separate and different to that of the residential farmhouse and the barn cannot be regarded as forming part of the curtilage of the Listed farmhouse.

Whilst the test of function and use is fundamental to the determination of curtilage it is also worth commenting on the layout and relationship of the barn relative to the nearby Listed Farmhouse.

Historically, the centre of the farmyard was located to the east of barn two, access to both the farmhouse and the agricultural buildings within the farm group was provided via a shared access road which ran eastward towards Pirton Road and, because of this, the doorways and window/ventilation openings of barn two were constructed to face towards the farmyard. In this regard, the comments provided by the Council Conservation Officer at the time of application 22/01843/LBC are accurate making the statement that barn two turns its back on the modern farmyard to the west and that it "faces the farmhouse".

However, the fact that barn two faced towards the historic central farmyard

around which both the historic farmyard buildings and the Listed farmhouse were arranged is not determinative for the process of analysis established in the "Jews Farmhouse" case.

The key test is whether there was, both historically and at the date of Listing, clear physical separation between the residential curtilage of the farmhouse and the nearby agricultural buildings.

In this regard, historic mapping and map data from the 1969 Ordnance Survey plan indicates that the residential curtilage of the farmhouse was clearly separated from barn two by the stock enclosure walls which were originally constructed for the purposes of agricultural stock management.

In terms of the physical layout of barn two relative to that of Lordship Farmhouse it is therefore clear that barn two should not be regarded as forming part of the curtilage of the Listed farmhouse.

We must also have regard to the relationship of the barn with the Grade II Listed Lordship Farm Barn to which it is directly attached.

Whilst the direct attachment of the Listed Barn and barn two must be taken into consideration it is not a determinative factor and a comparable example in this case would be adjoining attached shops within a retail centre where one might be a Listed Building and where a second shop which is attached to the Listed Building would be non-designated and would be clearly considered to be a separate building structure which does not benefit from statutory protection.

Indeed, comments provided by the Council Conservation Officer at the time of application 22/01843/LBC implicitly acknowledged that physical attachment is not, in itself, determinative and concluded that the other 20th century buildings which are directly attached to the northern and western sides of the Listed Barn did not possess listed status.

However, we need to recognise that both the Listed Barn and barn two are and always have been in agricultural use and that they were both built and operated as a single functional agricultural unit.

There is some case law which might be interpreted to suggest that this functional relationship and arrangement of the buildings as a closely related building group should be sufficient to allow us to conclude that all of the buildings should be regarded as being situated within a single agricultural curtilage and all the pre-1948 buildings within this group should therefore be considered to be Curtilage Listed Buildings.

In this regard, I should draw attention to the judgement in *Re v West Norwood Cemetery* [1994] which involved consideration of Curtilage in relation to a situation where 67 Listed Buildings and Monuments were located within the defined area of a cemetery.

On the facts in that case the Court took the view that the whole of the cemetery should be regarded as forming part of the curtilage of these Listed Buildings and, at a simplistic level, this case could be argued as supporting the view that the whole of the Lordship farm agricultural complex should be regarded as being within the curtilage of the Listed Barn simply because it all forms part of one single operational agricultural unit.

However, in their commentary on that case Mynors and Hewitson (Listed Buildings and other Heritage Assets Fifth Edition, Paragraph 4-042) advise:

“...That may have been correct on the particular facts of that case, but the approach should not be pushed too far.”

In this regard, Mynors and Hewitson go on to make the point that ***“not every building has or is capable of having a curtilage”*** (See *R. Hammerton v London Underground Ltd* [2003] J.P.L 984 at [43]).

My view is that blind application of the conclusion reached by the Court in the Norwood Cemetery case would be inappropriate without having regard to a number of further legal principles established in other relevant cases and without having regard to the some common sense consideration of the principles underpinning the concept of Curtilage and Curtilage Listing.

Fundamental in this regard is the underlying principle that, in most normal situations, the curtilage or a curtilage building would be ancillary and subordinate to

the principal Listed Building.

In this regard, I would draw attention to the observations of Lord Keith in *Debenhams PLC v Westminster CC* [1987]. In his judgement Lord Keith looked at the intention of Parliament behind the legislation and stated that he was satisfied that the word “structure” was intended to convey a limitation to such structures as are ancillary to the Listed Building itself, either fixed to the main building or within its curtilage. In this respect he went on to conclude (403 G) that:

“... In my opinion the concept envisaged is that of principal and accessory.”

Similar principles can be taken from other relevant case law and in this regard, I would also refer to the judgement in *Methuen Campbell v Walters* [1979] Q.B 525 which makes clear that a key test in determining curtilage is whether the land near to a Listed Building can be said to be so closely connected with the intended purpose of the Listed Building that it forms or formed an integral part of the Listed Building. In this regard, Buckley L.J observed that :

“..In my judgement, for one corporeal hereditament to fall within the curtilage of another, the former must be so intimately associated with the latter as to lead to the conclusion that the former in truth forms part and parcel of the latter.. ”

Although all of the buildings within the farmyard formed part of one single agricultural unit the reality is that most of them had quite independent and separate functions.

As a function, cattle rearing, milking, stabling or the raising of pigs is very different to the storage and winnowing of cereal crops and I would find it very difficult to accept that a cow house or a building used for mechanical processing of animal feed can sensibly be considered to form part and parcel of a threshing barn.

This was a mixed-use farm and each of the different buildings and building functions was essential to the operation of the farm group as a whole, each had a different function and use within the agricultural operation and in this sense

no one single barn could be claimed to be the principal building. Indeed, in this case, barn two has a greater footprint and greater floor area than the Listed barn.

This is an area of judgement and I am happy to acknowledge that it is possible to argue the case in different directions. However, and on balance, my judgement is that barn two should be regarded as an independent building which does not form part of the historic tithe barn and should not be considered to form part of its curtilage simply by virtue of its physical proximity and attachment.

As made clear in the above discussion, case law regarding the extent of curtilage is not wholly clear and this does make the determination of the extent of curtilage in the context of farm groups of this type both difficult and problematic.

It is a matter of judgement and it is very possible for different decision takers to reach different views about the extent of curtilage in a case of this type. In this regard, I should emphasise that I am not a decision taker for the purpose of determining the status of barn 2 and that this is a judgement which will be made by the Local Planning Authority, the Planning Inspectorate or the Courts.

In giving my advice it is also important that I should emphasise that Listed Buildings and pre-1948 buildings and attached structures within their curtilage are afforded statutory protection and that it is a criminal offence to instigate or to cause to be instigated any unauthorised works to a Listed Building, a Curtilage Listed Building or an attached pre 1948 curtilage structure.

It is very important that the applicant should not instigate any works to any of the buildings within the Lordship Farm complex without either first obtaining Listed Building Consent or a formal determination to demonstrate that the building or structure which is to be altered does not form part of a Listed Building and is not a Listed Curtilage structure.

However, and notwithstanding these caveats and advice, my view is that Barn two does not form part of the Listed Barn nor the Listed Farmhouse and that it is unsafe to conclude that it is a Curtilage Listed Building.

DESCRIPTION OF PROPOSED DEVELOPMENT

Listed Building Consent and Planning Permission (applications reference 22/01842/FP and 22/01843/LBC) have previously been granted for residential redevelopment of the existing farmyard at Lordship Farm.

This includes for demolition and removal of all of the poor quality utilitarian 20th century buildings within the site together with the construction of four new build dwellings and an associated “cart shed” style open garage building. Both this new garage building and the new houses have been designed in the style of traditional agricultural buildings and design of the approved scheme will harmonise with the established agricultural character of the site.

At the same time the approved scheme allows for retention and repair of the Listed barn and attached barn two with both of these buildings being altered, adapted and converted for residential use. As part of these works, the existing 20th century buildings attached to the northern side of the Listed Barn will be demolished and replaced with a new narrow span extension which will be integrated into the residential accommodation provided as part of the proposed conversion of Lordship Barn.

However, the applicant considers that some of the detail of the extant approved scheme is inadequate in terms of the quality of accommodation which will be created, the functionality of the scheme and the practicality of the conversion works which are proposed.

As a result, this current application proposes an amended scheme which is intended to address these issues.

In overall terms, the proposed layout and conceptual approach is very similar to that which has been previously approved with four new barn style dwellings together with two proposed dwellings which will be created by conversion of the Listed Barn and barn two and these buildings will be grouped around a central courtyard in a form which is directly informed by traditional patterns of historic agricultural development.

However, the detail of the proposed scheme has been developed and refined

with some changes proposed in the design of the four new build dwellings and some changes and alterations to the layout and detailed design of the barn conversions. Examples in this regard include provision for construction of a new internal leaf structural wall which is considered necessary for the stabilisation and structural support of the external walls of barn two together with omission of the earlier proposed enclosed first floor mezzanine within the Listed Barn which will be replaced with an open mezzanine sitting area which will better preserve the internal spatial character of this Heritage Asset.

The impact of the current revised application proposal on the affected Built Heritage Assets is therefore considered in more detail within the following sections of this statement.

National Planning Policy Framework

The introduction of PPS 5 and the NPPF brought a material change in the tone of regulatory control, greater emphasis on the need to protect what is actually “special” rather than to simply “preserve as found” and greater recognition of the need to balance conservation objectives with the economic needs and social imperatives of our community.

The current revision of the National Planning Policy Framework was published in December 2024 and took immediate effect, superseding previous national planning policy.

Section 2 of the NPPF sets out a clear presumption in favour of sustainable development and paragraph 7 defines this as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The NPPF makes it clear that one of the key dimensions of sustainability is protecting and enhancing the historic environment (paragraph 8).

Paragraph 3 of the NPPF makes it clear that the policy document must be read as a whole and the policies set out within the NPPF for the protection of the Historic Environment make it clear that the protection and conservation of Historic Assets must be weighed up and balanced against the governments other social and economic objectives. This means that development cannot simply be assumed to be “unsustainable” simply because it involves harm to, or even the demolition and loss of a heritage asset.

In fact, we cannot determine whether a development should be regarded as being “**sustainable**” or “**unsustainable**” without first going through the process of assessing the significance of any affected Heritage Assets, determining whether the proposal will cause harm to this significance and then a process of “weighing up” to determine whether any perceived harm to the historic built environment will be justified and outweighed by other social or economic benefits associated with any individual proposed scheme.

Where the significance of a Heritage Asset will be harmed there will be many cases where this cannot be justified and in these circumstances the development would then be considered to be “**unsustainable**” and should be refused. Indeed, Paragraph 202 makes clear that Heritage assets are an irreplaceable resource and Paragraph 212 emphasises the “**great weight**” which should be given to the conservation of a designated heritage asset. This is consistent with the basic legal requirement for a determining authority to have “**special regard**” to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they may possess. Similarly, it is consistent with the basic legal requirement to pay “**special attention**” to the desirability of preserving or enhancing the character or appearance of a designated Conservation Area.

These statutory obligations mean that when compared to other normal policy objectives much greater relative weight must be given to the need to conserve designated Heritage assets.

However, the NPPF includes no absolute presumption in favour of either conservation or preservation of a Heritage Asset and the tests set out in paragraphs 213, 214, 215 and 216 emphasise that harm to a Heritage Asset must be weighed up against the other public benefits which flow from a development proposal.

The omission of requirement for simple preservation “as found” and the adoption of a presumption in favour of sustainable development accords with Historic England’s principle of Constructive Conservation which explicitly acknowledges that the historic built environment is a dynamic and evolving place in which well considered new development can occur.

Similarly, in setting out the great weight which the government gives to the “Conservation” of heritage assets the NPPF confirms the change in approach introduced in PPS 5 which first introduced a structured definition of “Conservation” .

This definition is confirmed in the NPPF which states that for the purposes of heritage policy Conservation is :-

“The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate enhances its significance”.

The process of managed and properly considered change is therefore accepted as an inherent and essential part of the proper and responsible management of our shared heritage. Indeed, the approach taken first in PPS 5 and now the NPPF signals a substantial change in the philosophical approach to the way in which heritage assets are managed by our community.

By way of example paragraph 3.3 of PPG 15 simply stated that “..... there should be a general presumption in favour of the preservation of the listed buildings” and paragraph 3.4 went on to make it clear that the approval of applications for Listed Building Consent should be subject to justification of the proposal by the applicant who was required to show why any works which would affect the character of a Listed Building would be desirable or necessary.

In effect PPG 15 set out a simple presumption in favour of “preservation” of built heritage with statutorily protected buildings being effectively preserved “as found” unless an applicant was able to justify proposed alteration.

Clearly, the fundamental statutory duty to have special regard to the “desirability” of “preserving” a Listed Building, its setting and features of special interest or the character or appearance of a Conservation Area has not changed. However, the way in which we seek to achieve this objective has evolved and current national guidance opens up a much more positive approach to the management of heritage assets which emphasizes the preservation of what is actually special in our historic built environment.

This is part of a much more sophisticated approach to the management of built heritage which focuses much more clearly on the need to make a careful assessment of the actual nature, extent and relative level of the significance of individual heritage assets.

Most telling, was the original commentary in English Heritage’s (now Historic

England) introduction to Constructive Conservation which stated that :-

“ The Conservation Movement has evolved from a reactive process, focusing on preventing change, into a more flexible process of helping people to understand their historic environment and through that understanding, to manage change to it in the most appropriate way”

The fundamental point is that good conservation does not mean simply focusing on preventing change. Change is not harm and harm only results where change causes damage to what is actually “special” about the architectural or historic interest of the Heritage Asset concerned.

This change in philosophical approach was reflected in supporting guidance issued by Historic England and by way of example in its publication “Valuing Places: Good Practice In Conservation Areas” Historic England stated that :-

“This recognition of local distinctiveness is enshrined in legislation. It is not a device for preventing change or new development. Every conservation area contains places which have changed. Often these changes are features of the character which we wish to protect; often too, further changes have to be accommodated if we are to ensure such places have a viable and beneficial future.....”

It went on to state that :-

“ The care of our built inheritance has to be carefully balanced with the economic and social imperatives of the present”

This is consistent with the approach taken in the current NPPF which at paragraph 8 makes it clear that alongside its role in protecting and enhancing the environment (including the historic environment) the planning system has two other key roles which are the need to contribute to building a strong, responsive and competitive economy and its social role in providing badly needed housing and fostering a well-designed and safe built environment with accessible services and open spaces.

National policy guidance therefore indicates that the positive economic and

social benefits of new development must be given material weight and that this must be weighed up and balanced against harm caused to the historic built environment.

This approach does not imply any “green light” for unnecessary, inappropriate or ill considered harm to the historic environment and in Paragraph 213 the NPPF states that any harm or loss to a designated heritage asset must be clearly and convincingly justified.

In this regard it also makes it clear that the principle of proportionality is fundamental to the decision making process so that the level of justification which is required depends on the relative significance of the designated Heritage Asset concerned.

As part of this structured approach the NPPF builds on the principles set out in PPS5 and confirms the concept of “Harm” and “Substantial Harm” as two different levels of adverse impact on the significance of a Designated Heritage Asset.

Paragraph 214 of the NPPF relates to the consideration of applications that will result in ‘substantial harm to’ or ‘total loss of significance’ of designated heritage assets and makes it clear that permission for such development should be refused unless the harm caused is outweighed by the public benefit of the proposal or unless it is essential for the long term viability of the asset concerned.

Paragraph 215 relates to proposals that will result in ‘less than substantial harm’ to the significance of a designated heritage asset, stating that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In considering the level of public benefit which is required to justify development which results in “less than substantial harm” it is necessary to refer back to the principles of proportionality set out in Paragraph 206 which states that “Substantial Harm” to Grade II Listed Building, park or garden should be “exceptional” whilst “Substantial Harm” to a heritage asset of the highest significance should be “wholly exceptional”.

It is worth stopping to think about the wording of this guidance and worth noting that the need for “exceptional” justification in relation to Grade II designated assets is only intended to apply to development which would result in substantial

harm. By definition this choice of wording indicates that the level of justification required for works which result in less than substantial harm to a Grade II designated asset would not be exceptional. In other words it is not unusual or out of the ordinary for there to be sufficient public benefit to justify works which result in less than substantial harm to Grade II Listed Buildings or Grade II registered parks and gardens.

Finally, the NPPF provides separate guidance in paragraph 216 regarding development which affects-designated assets. In this regard the policy simply states that the effect of the application on the significance of the asset should be taken into account and that in weighing up such applications a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.

Whilst paragraphs 213, 214, 215 and 216 provide a methodology for assessing harm it must be recognised that in practice it is quite rare for the impact of works to be either wholly positive or wholly negative for the significance of heritage assets.

Some aspects of a development may cause harm to the significance of an asset whilst other aspects of the same scheme may result in positive benefit and in such cases the net impact of the proposal on the significance of the asset must be considered and weighed up as part of the process of determination.

The determination of an application therefore requires us to do more than simply refuse consent for any application which includes any element of perceived harm and we need instead to balance and weigh-up the different elements of harm and different elements of positive benefit to the significance of the asset so as to reach a balanced judgement as to whether the scheme as a whole will, or will not result in net harm to the significance of the Heritage Asset concerned.

Similarly, there are instances of development which result in physical change to a heritage asset but whose impact on the special architectural or historic interest of the asset is entirely neutral.

In this regard an obvious example is the precedent established in *South Lakeland DC v Secretary of State* (1991) 2 P.L.R 97.

This case concerned the decision of an inspector to allow an appeal for construction of a new building within a Conservation Area on the basis that it would neither harm nor enhance the area (largely because it was to be constructed in a location where it would only be visible from very limited view points). Following judgement in the House of Lords this case established the principle that the preservation of the character or appearance of a Conservation Area could be achieved by development which left it unharmed.

Whilst this case related specifically to a Conservation Area it is self evident that similar principles can be applied to the consideration of proposals which affect other Heritage Assets such as Listed Buildings.

Finally, in applying the guidance set out in the NPPF it is also important to remember that it cannot override the requirements of primary legislation and that the Courts are the final arbiters of what this legislation actually means.

Methodology of Impact Assessment

The NPPF makes clear that development management should be based on an evidence based assessment of the significance of individual Heritage assets which may be affected by the relevant development proposal. Understanding the relative significance of affected assets is vital to a successful development scheme and in this regard the NPPF reflects the earlier English Heritage (now Historic England) publication of Conservation Principles Policies and Guidance.

Given the diversity and richness of our shared heritage the assessment of significance for individual assets can be a difficult and sometimes subjective process. However this latter English Heritage Guidance sets out a structured approach based first on consideration of a range of Heritage Values encompassing the evidential, historic, aesthetic and communal values associated with each individual place.

Evidential value is defined as value derived from the potential of the place to yield evidence about past human activity whilst Historic Value is that which is derived from the ways in which passed people, events and aspects of life can be connected through the place to the present day. In this regard, the guidance suggests that Historic Value will normally be either illustrative or associative in nature. Aesthetic value is defined as the value which flows from the way in which people draw sensory and intellectual stimulation from a place whilst Communal Value derives from the meaning of the place for the people who relate to it or for whom it figures in their collective experience or memory

The guidance goes on to set out a systematic process for the assessment of significance.

Although not all steps will be applicable to all places the guidance emphasises the following key stages :-

- 1 - Understand the fabric and evolution of the place.
- 2 - Identify who values the place and why they do so
- 3 - Relate identified heritage values to the fabric of the place.

- 4 - Consider the relative importance of those identified values.
- 5 - Consider the contribution of associated objects and collections.
- 6 - Consider the contribution made by setting and context.
- 7 - Compare the place with other places sharing similar values.

This approach, set out within Conservation Principles Policies and Guidance needs to be applied in conjunction with the guidance provided in Paragraph: 006 (Reference ID: 18a-006-20190723) of the Planning Practice Guide which Provides an overarching definition of Significance and explains how consideration of heritage interest should be approached.

'Significance' in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.

The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

- ***archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.***
- ***architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction,***

craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.

- **historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.**

In undertaking this assessment in relation to the current application scheme it is also particularly important have regard to national guidance in relation to the consideration of the setting of Heritage Assets.

In this regard, the NPPF glossary defines the setting of a Heritage as follows:

“The surroundings in which a Heritage asset is experienced. Its extent is not fixed may change of the asset and its surroundings evolve stop elements of the setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”

The starting point for consideration of the setting of a Heritage Asset is set out in Paragraph: 013 (Reference ID: 18a-013-20190723) of the PPG which states that:

“All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset

in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

More detailed advice about how this guidance should be applied is then set out within Historic England Historic Environment Good Practice Advice in Planning Note 3 (Second Edition).

In summary, National Guidance makes clear that the setting of a Heritage Asset should be considered in an extensive way which encompasses the whole of the way in which the asset is experienced. The contribution that setting makes to the significance of a Heritage Asset does not depend on there being public rights of access or an ability to experience that setting and the concept of setting amounts to more than simple inter-visibility and should have regard to environmental conditions (noise and vibration etc.) and any historic relationship between the application site and the Heritage Asset concerned.

Indeed, Historic England highlight examples of cases where the setting of a Heritage Asset has been affected even where there is no inter-visibility whatsoever between the Heritage Asset and the development concerned.

Assessment of Significance, Impact and Harm

IDENTIFICATION OF HERITAGE ASSETS

The Grade II Listed Lordship Farm Barn will be directly affected by the proposed development and the setting of this building will be changed and altered as a result of the demolition of surrounding 20th Century farm buildings and the development of the surrounding farmyard.

Whilst Lordship Farmhouse will not be affected in a direct physical way it is self-evident that the local setting of this Grade II Listed Building will be altered as a result of the application proposal.

Barn two which is attached to the southern flank of Lordship Farm Barn is not individually Listed and my advice is that it would be unsafe to conclude that it is a Curtilage Listed Building. Nevertheless, it is clear that this building does have local heritage value and that it does have group value as part of the surviving historic farm group within the property. Again, this non-designated Heritage Asset will be directly affected by the proposed development and its setting will be changed and altered as a result of the application proposal.

Within the wider locality there are a number of other Listed Buildings and non-designated Heritage Assets and these include the Grade II Listed Rectory and Rectory Gate Cottage to the north east and The Moat House which is a Grade II Listed property to the south west.

However, there is no evidence of any material historic or function relationship between Lordship Farm and these other Heritage Assets and the level of physical and visual separation between these Heritage Assets and the proposed development is such that the proposal will not result in any material change to their setting.

Accordingly, I find that the only built heritage assets which will be materially affected by the application proposal are Lordship Farmhouse, Lordship Farm Barn and non-designated barn two.

I would comment as follows:

LISTED BUILDINGS

Lordship Farmhouse and Lordship Farm Barn are designated Grade II Listed Buildings which, by definition are considered to be buildings of special architectural and historic interest which are of national significance.

The individual significance of these assets and the impact of the proposed development on their heritage value is considered in more detail below.

LORDSHIP FARMHOUSE

The farmhouse dates back to at least the 17th century and because of this it has clear historic value simply by virtue of the survival of building fabric from this period.

This is an attractive property which has obvious aesthetic value and this is accentuated by its physical relationship with the adjoining historic farm buildings and surviving elements of the former farmyard.

It also has clear historic and evidential value as a built record of historic patterns of building design and craft practice together with historic value which informs our understanding of the historic rural economy and the social history of the locality. In this regard, it has communal value as a direct physical link to our shared rural history.

However, this is not a Grade I or Grade II* Listed Building and, by definition, it can be regarded as being of exceptional or more than special significance.

It is also apparent that the historic form and architectural appearance of the farmyard within which the farmhouse was once set has been very substantially lost with demolition and removal of the majority of the historic farm buildings

which once sat alongside the farmhouse. As a result, the historic, evidential and aesthetic value of the setting of the farmhouse has been substantially degraded and this has reduced the significance of the farmhouse as a Heritage Asset. To a more limited degree the construction of low quality utilitarian 20th century farm buildings within the modern farmyard to the west of barns one and two has also resulted in harm to the wider setting of the farmhouse and consequent harm to its significance.

The application proposal involves the demolition and removal of utilitarian 20th century farm buildings to the west of the farmhouse and residential development which will include the construction of four new dwellings which are to be designed in a barn style together with residential conversion of Lordship Farm Barn and attached barn two which adjoin the farmhouse.

Inevitably, residential development and residential conversion of the retained historic barns will result in domestication and erosion of the surviving agricultural character of the setting of the farmhouse which will result in some limited harm.

Similarly, there will be some limited harm arising from changes to the detailing and fabric of the adjoining retained historic barns which is a necessary consequence of the works which are required for residential conversion. In this regard, the loss of the existing louvred vents and door joinery to the east flank of barn 2 which faces towards the farmhouse is necessary in order to allow the provision of functional door and window openings but will inevitably result in some dilution of the agricultural visual character of the building and the setting of the farmhouse.

Careful and detailed recording of this surviving historic joinery is therefore recommended in order to mitigate this loss.

Set against these elements of less than substantial harm we must acknowledge that some elements of the scheme will be of clear long term benefit for the setting of the Listed farmhouse.

As seen on site today the accretion of poor quality utilitarian 20th century farm buildings attached to the Western and Northern flanks of Lordship Farm Barn effectively envelop this historic building and seriously disrupt our ability to read, understand and experience the historic form of this Listed Building. The proposal

to clear away these harmful buildings will enhance the aesthetic value of the barn, will allow us to better understand and experience the historic character of the building and this will be of clear positive benefit for the setting of the adjoining farmhouse.

More fundamentally, the Listed Barn and attached historic barn two are redundant building structures which are no longer weather-tight and this will result in an accelerated process of consequential decay. In particular, the surviving historic timber frame of barn two is in a very serious state of structural disrepair and repair and restoration works are now essential in order to prevent significant structural failure.

The fundamental benefit of the application scheme is that it will allow this objective to be achieved and that it will ensure that the Listed Barn and adjoining historic barn two continue to survive and that they will continue to contribute to the immediate setting of the farmhouse.

Whilst acknowledging that residential development will result in some limited harm to the setting of the farmhouse the architect has developed a carefully considered scheme which ensures that these limited harms are mitigated and reduced. The barn style design of the proposed new dwellings has been informed by the context of the site and this style of development will harmonise satisfactorily with the rural character of the locality and the historic farmyard setting of the Listed farmhouse.

It is also clear that the architect has designed the conversion of the retained historic buildings in a sympathetic manner with existing openings being reused where possible and with alterations to the external aesthetic appearance of been carefully minimised.

Whilst some aspects of the application proposal will result in limited less than substantial harm to the setting of the Listed farmhouse these limited elements of harm are more than balanced outweighed by the other positive benefits of the scheme and I find that the proposed development will be of net positive benefit for the setting and long term significance of the farmhouse as a designated Heritage Asset.

Finally, any assessment of the impact of the proposed development on the setting of the adjoining Listed farmhouse needs to be seen in the context of the existing extant consent for residential redevelopment approved under earlier applications 22/01842/FP and 22/01843/LBC.

The conceptual approach and overall character of the current application proposal is very similar to that which has been previously approved and compared to the existing extant approval the impact of this revised scheme on the setting of the Listed farmhouse will be entirely neutral.

LORDSHIP FARM BARN

Lordship Farm Barn is a 17th century Listed Building and, up to eaves level, the original internal structure of the building is relatively well preserved and provides us with an example of a good quality historic timber framed barn.

The structure has historic value as a result of the survival of historic building fabric within the timber frame and has a high level of historic and evidential value as a built record of historic patterns of timber frame design and craft practice. The building also has evidential value in allowing us to understand historic patterns of agricultural practice and communal value as a physical link to the rural history of our community.

Internally, the building has some significant visual power and clear aesthetic value. Externally, the aesthetic value of the barn has been heavily degraded by adjoining 20th century development but it does retain value and has particular significance in relation to the setting of the adjoining Listed farmhouse.

Whilst it is clear that the building more than justifies its status as a designated Listed Building we should also acknowledge that the significance of the building has been damaged and degraded as a result of changes and alterations over the course of the 19th and 20th centuries.

Whilst the majority of the original low-level plinth and wall frame survives the great majority of the original roof structure has been lost with this being replaced with a sawn softwood rafter roof which I would assume to be constructed during the last quarter of the 19th century.

Further loss of original building fabric has also occurred as a result of simple decay and insensitive 20th century alterations such as the insertion of the domestic garage door in the east gable.

As above noted, the building has been effectively subsumed and enveloped by poor quality 20th century agricultural buildings which wrap around the western and northern flanks of the barn and which seriously harm our ability to experience and understand the original historic form of this Listed Building.

In developing the current application proposal the architect has adopted a sensitive approach which seeks, wherever possible, to make use of existing structural openings and which will not result in any unnecessary loss of historic building fabric.

Internally, the scheme proposes that a small staircase and open mezzanine deck will be inserted above the kitchen at the western end of the barn. However, this is the only proposed change to the internal spatial character of the barn and will not materially affect our ability to experience the original internal character of the Listed Building. Indeed, this would appear to be a more sympathetic and less harmful approach than the proposal for an enclosed mezzanine bedroom which was previously approved under consent reference 22/01843/LBC.

Externally, the aesthetic approach adopted by the architect appears very sympathetic to the agricultural character of the building and by sweeping away the large aggregation of poor quality 20th century buildings which currently envelop the barn the scheme will very dramatically improve our ability to experience and understand the original form of this Listed Building.

We must acknowledge that conversion to residential use will result in some less than substantial harm to the significance of the building as a result of visual domestication and the inevitable requirement for the provision of insulation, construction of new floors, mechanical and electrical services and domestic internal finishes.

However, the first fundamental requirement for the conservation of a building of this type is the need to secure a viable long-term use which will ensure its maintenance and survival for future generations to come. Furthermore, any future use

of the property needs to be one which will generate sufficient economic value to ensure that the building is properly maintained.

In this regard, we should be wary of potential alternative uses such as low-grade storage or workshop use which might at first sight appear to involve more limited physical intervention but which do not generate sufficient economic value to allow the property to be properly maintained and which can result in a harmful spiral of poor quality and inadequate repair resulting in gradual deterioration of the building fabric.

The current application proposal will secure a viable long-term use for building, will ensure its future maintenance and survival and this will be of fundamental positive benefit for the long term significance of the Listed Building.

Any elements of less than substantial harm arising from the interventions necessary for residential conversion are more than balanced and outweighed by this positive benefit and by the benefit arising from the demolition and removal of the current accretion of poor quality 20th century development which envelop the building.

As a result, the application proposal will be of positive net benefit for the long-term significance of the Listed Barn as a designated Heritage Asset.

Again, we also need to consider the impact of this current application proposal against that which would arise from the extant scheme approved under applications 22/01842/FP and 22/01843/LBC.

Whilst in broad terms these two schemes are very similar in approach there are some material differences and I would comment as follows.

Within the interior of the Listed Barn the current approved scheme proposes the construction of enclosed ground floor accommodation which is intended to enclose the ground floor cloakroom, utility room and staircase and at first floor level the scheme proposes the construction of an enclosed high-level bedroom which will absorb and enclose historic structural elements including the principal tie beams and braces which support the roof structure.

In comparison, the current application proposal suggests a much more open visual approach with just a small open mezzanine being inserted at the western end of the barn.

Compared to the approved fall-back scheme it is clear that this will much better preserve the historic internal spatial character of the Listed Barn and this will allow us to better experience the form and visual power of this Heritage Asset.

It is also noticeable that this current application proposal seeks to link the historic barn through to the proposed attached bedroom wing by making use of an existing structural opening rather than, as currently approved, by forming a new door opening which will be cut through the historic low level masonry plinth, cut through the historic low level sill beam which will require the removal of surviving historic stud work.

Compared to the approved fall-back scheme the current application will therefore reduce the loss of historic building fabric and this will be of positive benefit for the significance of the Listed Building.

Externally the visual character of the architectural approach is perhaps somewhat softer and more traditional than that which has been previously approved. National guidance makes clear that contemporary design approaches can be successfully used in the most sensitive of historic buildings and consideration of the aesthetic appearance of the current application proposal relative to that of the existing approval is very much a matter of personal judgement.

However, in this case, my own feeling is that the somewhat more gentle aesthetic of the current application proposal is likely to be more pleasing than that of the current approved scheme.

Given the above comments, and relative to the existing fall-back scheme the current application proposal will be of positive net benefit for the significance of the barn as a Listed Building.

BARN 2

Barn two is a non-designated building and, as earlier discussed, my judgement

is that it is unsafe to assume that this is a Curtilage Listed Building.

Nevertheless, this is a historic building and the timber frame structure within the building dates back to at least the 18th century and has positive value simply as historic building fabric which survives from that period.

Although of much later construction the brickwork Victorian façade of the southern section of the east elevation has evidential and historic value as a record of an interesting phase in the historic evolution of the farmyard group and as a record of specialised construction detailing (slatted timber vents etc.) which are directly related to the historic function of the building.

The building also has positive aesthetic value and does make a positive contribution to the rural character of the setting of the adjoining Listed Barn and Listed farmhouse.

The form of the building also has historic and evidential value in allowing us to read and understand the form of the historic farmyard which has now largely been lost and further value by virtue of the way in which the building allows us to understand historic patterns of agricultural farm practice.

As with the other historic buildings within the group the barn must also have communal value as a physical link to our shared rural history.

Although the building is not of sufficient value to justify individual designation and although my own judgement is that it should not, in law, be regarded as a Curtilage Listed Building it is self-evident that the barn is of significant heritage value and that it should be considered to be a non-designated Heritage Asset which is of local value.

However, it is also clear that the value and significance of the building has been reduced by loss of historic building fabric resulting from decay and natural failure together with 20th century alterations which have included removal of large sections of decayed timber frame, poor quality brickwork repair and complete rebuilding of the south gable.

The significance of the building as a Heritage Asset has also been degraded by

the effective loss of the historic farmyard which was originally located to the east of the barn and the adverse impact of development of a large collection of poor quality 20th century buildings grouped around the more modern farmyard to the west.

Finally, it is also clear that the building has been heavily altered and changed over the course of its history, that the survival of the original timber frame is relatively fragmentary and that the building does not survive in anything like its original form.

The current application proposes residential conversion of the barn and this will involve significant changes including construction of a new internal support wall around the external perimeter of the building, internal subdivision which is necessary to form bedroom and service accommodation, installation of new windows and doors which will involve the loss of surviving historic joinery and the essential works which are necessary in order to provide the internal services and finishes which are required for residential accommodation.

We should acknowledge that these changes, together the loss of agricultural use and consequential domestication will significantly change the visual and spatial character of the building, will result in some loss of historic building fabric, will affect the contribution which the building makes to the setting of the adjoining Listed Buildings and will result in some less than substantial harm to the significance of the building as a Heritage Asset.

However, and as with Lordship Farm Barn, these elements of less than substantial harm must be weighed up and balanced against the fundamental positive benefit of the scheme which results from the provision of a viable long-term use for this redundant building and which will ensure that the structure of the building is stabilised and that it can survive for future generations to come.

In this regard, it is important to recognise that barn two, and in particular the timber frame of the west elevation of the building, is in a very serious state of disrepair. There is obvious evidence of very significant structural decay within the surviving elements of the historic timber frame and it is no exaggeration to say that there is a very serious medium-term risk of large-scale structural failure and collapse.

Given the fundamental benefit which will flow from application proposal which will secure a viable long-term use for the building and will ensure its restoration and long-term preservation it is abundantly clear that the application proposal is of net positive benefit for the long term significance of this Heritage Asset.

In ensuring the survival of this historic building the application proposal will also be of net positive benefit for the setting of the adjoining Listed farmhouse and Listed barn.

In considering any element of adverse harm to the heritage value of barn two it is also important to remember that this is not a Listed Building, that it is not of national architectural or historic interest and that it is of significantly less historic value than Lordship Farmhouse and Lordship Farm Barn.

Whilst any perceived harm to barn two should be taken into account by the decision taker, harm to this building cannot be attributed the same weight as comparable harm to the Listed Buildings within the site and greater relative weight should be given to the other social and economic benefits which flow from the application proposal.

In many ways the conversion which is envisaged as part of this application proposal is very similar to that which has been previously approved as part of the extant fall-back scheme.

By way of example, both this and the earlier approved scheme include for removal and loss of the surviving historic external joinery within the 20th century façade of the East elevation of the barn (removal of slatted timber vents etc.).

However, there are also noticeable differences and the first of these is the inclusion as part of this application scheme for the construction of a new internal support wall around the external perimeter of the building.

From site inspection, I am genuinely concerned about the structural condition of the building and in particular the condition of the timber frame west façade of the barn which is in a state of serious structural decay. In this regard, I am concerned that the currently approved drawings of the fall-back scheme may prove to be

unrealistic and may not be practical in terms of the extent of works which will be necessary to stabilise and repair building structure and which will be required in order to achieve a satisfactory level of environmental performance for the new residential use.

Accordingly, the proposal for a new internal structural support wall is a sensible and realistic option which will be of practical positive benefit for successful implementation of the conversion works.

In comparing the current application scheme with the earlier extant approval it is also clear that the revised proposed layout will involve some changes which will marginally increase the impact of the proposed conversion on the internal spatial character of the building. In particular, the area of the open living space at the southern end of the building has been reduced, there is a greater level of internal subdivision and the internal subdivision which is proposed appears to be less well aligned with the established bays of the building structure.

However, whilst acknowledging that these changes may be perceived as resulting in some relative additional harm this does not change my view that the overall balance of the fundamental benefits of the scheme mean that the current application proposal will still be of net positive benefit for the long term conservation and significance of this Heritage Asset.

More particularly, any perceived relative harm arising from these changes in the proposed design must be set against the clear positive benefits which will arise from the revised design for internal alteration of the adjoining Listed Barn which will be of material benefit for the significance of that designated Heritage Asset.

Because of this and because barn two is of lesser heritage value than the adjoining Listed Barn I find that the overall balance of comparative harm and benefit between this current application proposal and that of the earlier extant consent is such that the current application is a positive step forward which will be of net benefit for the historic building group.

WEIGHING UP & CONCLUSION

The application proposal involves substantial redevelopment of a historic rural site which adjoins a high value Listed farmhouse and includes a Grade II Listed Barn and attached historic barn which I would regard as being a Local Heritage Asset.

I would acknowledge that scheme does include some elements which will result in less than substantial harm to the setting and significance of these Heritage Assets and these include some limited loss of historic building fabric together with loss of agricultural character and domestication of both of the historic barns within the site and of the wider setting of the historic barns themselves and the adjoining Listed Farmhouse.

Internal subdivision of barn two will result in material change to the internal spatial character of this building and the installation of insulation, domestic finishes, new floor structures and mechanical and electrical services which are consequent upon residential conversion will change the character of both historic barns.

Inevitably, residential conversion will also result in the insertion of additional external door and window openings and will necessitate the installation of new internal and external joinery.

Set against this, it is clear that the architect has produced a design which has been carefully crafted in order to work with the existing building structures, to make use of existing structure openings and to reduce the extent of historic building fabric loss to the absolute minimum which is required for functional adequacy.

It is also clear that this is a good quality architectural design and the barn style design of the proposed new dwellings will harmonise satisfactory with the historic agricultural character of the site and the setting of the adjoining historic buildings.

When taken in the round it is also my view that the current application proposal is an improvement on the earlier approved fall-back scheme and, in

particular, my view is that this revised design will be of positive benefit for the value and significance of Grade II Listed Lordship Farm Barn.

Whilst the application proposal does result in some elements of less than substantial harm these elements of harm must be weighed up and balanced against those elements of the scheme which are of positive benefit for the conservation of the building group.

In this regard, the proposal to demolish and remove the poor quality 20th century farm buildings within the application site will be of significant benefit in helping us to better experience and understand the historic form of the surviving historic barns with consequent benefit for the setting of the historic barns and the Listed Farmhouse.

However, the principal benefit of the application is that it will secure a viable long-term use for the historic barns which will ensure that these buildings are repaired and stabilised and that they will survive for future generations to come.

At present, these barns are redundant and they are entering into an accelerating cycle of structural decay. The structural condition of barn two is of particular concern and my view is that there is a clear medium term risk of large-scale structural failure of this historic building.

By securing a viable use for these redundant buildings and by securing their repair and stabilisation the application proposal will be of fundamental positive benefit to the conservation of these historic buildings and this fundamental benefit more than balances and outweighs any other elements of less than substantial harm which result from the implementation of the scheme.

Accordingly, I would confirm my view that the application proposal will be of net positive benefit for the long term conservation and significance of the historic built environment.

However, should the council disagree with this assessment then any perceived less than substantial harm to the historic built environment must then be weighed up and balanced against the other public benefits which will flow from the scheme.

Principal in this regard is the social benefit which will result from a development which will secure the provision of badly needed new homes and the economic benefit which will result from this significant proposed investment in the built environment.

When considered in this light, it is clear that the application is fully justified in accordance with NPPF requirements.

Good conservation is not about preventing change but is instead the process of maintaining and managing change of Heritage Assets as they change and evolve to meet the needs our society.

The application is commended to the Local Planning Authority and it is respectfully requested the Planning Permission and Listed Building Consent should be granted.