



Appeal Decisions

Site visit made on 30 May 2022

by Elizabeth Pleasant BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2022

Appeal A Ref: APP/R4408/F/22/3292758

Land at 3 Fieldhead Manor, The Granary, Elmhirst Lane, Dodworth, Barnsley S75 4LD

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mrs I Wainwright against a listed building enforcement notice issued by Barnsley Metropolitan Borough Council.
 - The enforcement notice was issued on 7 February 2022.
 - The contravention of listed building control alleged in the notice is: Without Listed Building Consent, the unauthorised installation of two sets of replacement garage doors (The Unauthorised Works) shown in the attached photos attached in Appendix 4 hereto.
 - The requirements of the notice are:
 - (i) Return the garage doors (as specified in paragraph 3) at the Land to their original condition, prior to the breach of Listed Building Control taking place (referenced in Appendix 5).
 - (ii) Ensure that said doors cited in paragraph 3 match those of the adjacent property; 2 Fieldhead Manor, Elmhirst lane, Silkstone, Barnsley, S75 4LD.
 - The period for compliance with the requirements is three months.
 - The appeal is made on the grounds set out in section 39(1) (e) and (i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
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Appeal B Ref: APP/R4408/W/22/3292126

3 Fieldhead Manor, The Granary, Elmhirst Lane, Dodworth, Barnsley S75 4LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs I Wainwright against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2021/1244, dated 13 September 2021, was refused by a notice dated 25 November 2021.
 - The development proposed is replacement garage doors.
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Appeal C Ref: APP/R4408/Y/22/3292127

3 Fieldhead Manor, The Granary, Elmhirst Lane, Dodworth, Barnsley S75 4LD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs I Wainwright against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2021/1377, dated 13 September 2021, was refused by a notice dated 25 November 2021.
 - The works proposed are replacement garage doors.
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Decisions

Appeal A

1. The appeal is dismissed and the listed building enforcement notice is upheld. Listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Appeal B

2. The appeal is dismissed.

Appeal C

3. The appeal is dismissed.

Procedural Matter

4. I have dealt with other appeals on this site (APP/R4408/W/22/3290238 & APP/R4408/Y/22/3290239). Those appeals are the subject of separate decisions.

Main Issue (Appeal A on ground (e) and Appeals B and C).

5. The main issue in these cases is whether the development and works preserve the special architectural and historic interest of the listed building.

Reasons

6. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
7. The appeal property is identified as 'Cottage adjoining to north of Field Head Farmhouse' in the list description and is a grade II listed building. It originates from at least the 17th Century and was formerly a barn attached to Fieldhead Manor. The building was converted to residential use in 1985. From the evidence before me, including the list description and observations on my site visit, the significance of the building as a heritage asset is largely derived from its age, historic use and architectural features. Those features include its vernacular form and traditional building materials, including cruck trusses, all of which contribute to the significance of the heritage asset.
8. The works to the building are the replacement of vertical boarded timber garage doors which, from the evidence before me, had a painted/stain finish. The replacement doors are metal roller shutters finished in grey.
9. The garage doors which have been replaced reflected the building's vernacular in their materials and visual arrangement. Furthermore, the double door matched the garage doors at No 2 Fieldhead Manor and there was a visual harmony in the appearance of the property and the adjoining buildings known as Nos. 2, 4 and 5 Fieldhead Manor. The unauthorised doors by reason of their materials and design contrast sharply with the historic character and aesthetic vernacular of the listed building. They have a crude and incongruous appearance and fail to preserve the special architectural and historic interest of the building.

10. I have taken into account the garage doors that have been installed at No 1 Fieldhead Manor. This property appears to have undergone a number of unsympathetic alterations in the past. However, No 1 is both physically and visually distinct from the listed building the subject of this appeal, and the alterations that have taken place to it, including the garage doors, are harmful to its special architectural and historic interest. Therefore, those alterations do not set a precedent that should be repeated.
11. I appreciate that the Council has recently allowed replacement windows in the building. However, the existence of those new windows does not outweigh the harm that I have identified from the replacement garage doors, and I give that consideration little weight.
12. The harm that I have identified, although great, is less than substantial to the significance of this heritage asset. This harm is not outweighed by any public benefit. The development is therefore contrary to paragraph 202 of the National Planning Policy Framework and the design and heritage aims of Policies GD1, HE1 and HE3 of the adopted Barnsley Local Plan, 2019. Appeal A on ground (e) and Appeals B and C do not therefore succeed.

Appeal A on ground (i)

13. An appeal on ground (i) is that the steps required by the notice would not restore the character of the building to its former state. The appellant is of the view that the original conversion significantly changed the character of the listed building and restoring the doors would not serve the purpose of restoring the character of the building.
14. I appreciate that the garage doors that have been removed did not form a part of the original building. However, those doors were installed as part of a conversion scheme undertaken to provide a new use for the building, and their materials and design respected the historic character of the building and had the benefit of listed building consent. I have found that the new doors do not preserve the special character and historic interest of the building. The steps required by the notice would serve the purpose of restoring the character of the building to its former state, that is prior to the contravention, and Appeal A on ground (i) thus fails.

Overall Conclusions

15. For the reasons given above and taking into account all other matters raised, I conclude that the appeals fail, and listed building consent is refused.

Elizabeth Pleasant

INSPECTOR