



Appeal Decision

Site visit made on 24 October 2016

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 1st November 2016

Appeal Ref: APP/C1570/W/16/3155334

Land Adjacent Sargents Lane, Waldon Road, Hadstock, Essex CB21 4PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Rowlandson against the decision of Uttlesford District Council.
 - The application Ref UTT/16/0331/FUL, dated 3 February 2016, was refused by notice dated 20 April 2016.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are: 1) Whether the proposed development would preserve or enhance the character or appearance of the Hadstock Conservation Area; and 2) The effect of the development on the setting of Bardsfield and Manor House, which are Grade II listed buildings.

Reasons

Whether the proposed development would preserve or enhance the character or appearance of the Hadstock Conservation Area

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Hadstock Conservation Area (CA). Many of the features of special interest are outlined in the Hadstock Conservation Area Appraisal and Management Proposals 2014 (CAA), which forms a useful basis for understanding the significance of the CA and assessing the effect of the proposal.
 4. Hadstock is a compact village with development radiating out from its core. The built form of the village becomes more sporadic and spacious towards its edge. I observed that this pattern of development enables views from Walden Road and Sargents Lane across the appeal site out into the agricultural hinterland of the village. In this respect, what I observed is consistent with the CAA, which states the CA has channelled views out of the village through gaps between buildings and over open spaces to the ascending countryside.
 5. Consequently, views out into open countryside, especially on the periphery of the village, are important components of the CA's significance, providing this rural settlement with a visual connection to the surrounding countryside to which it is intrinsically linked.
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6. The appeal site is located towards the periphery of the village and is currently an allotment with what appears to be vegetable beds and small sheds within it. The site has a rustic and informal character. As stated above, from Walden Road and Sargents Lane there are views across the site into the undeveloped and open countryside beyond. There are also views back into the settlement from the footpath to the west. The site is bounded by hedges and is surrounded by attractive period houses. This arrangement presents an attractive rural scene and makes a positive contribution to the loose knit character of the locality and CA within which the appeal site is situated.
7. The appeal scheme is for the erection of a single detached dwelling located back from the road and broadly central in the site. It is intended to erect a cart lodge behind the proposed house. The dwelling would have a vernacular character, exhibiting period features such as a thatch roof and being based on a rectangular plan with a narrow span to the gables. The existing boundary hedge along Walden Road would be retained to provide some maturity to the site. Access to the site would be provided from Sargents Lane and not Walden Road.
8. Although set back from Walden Road and behind a hedge and bank, which would be retained, the proposed dwelling would nevertheless obscure views out into the open countryside to the west of the appeal site. It would also erode the loose-knit character of the grouping of houses around Sargents Lane, especially when viewed from the public footpath. The proposal would therefore harm the character and appearance of the CA. In this respect, my conclusions are consistent with a previous Planning Inspector when considering a preceding appeal for a similar development at the site (Ref APP/C1570/A/07/2051195).
9. I share the view of the Council that the fenestration in the rear elevation would jar with that on the front elevation. The a-symmetrical gable and position of the chimney in the roof plane, as opposed to a siting along the ridge, are also unconvincing design details. Nevertheless, the fenestration can be altered through a planning condition and the overall appearance of the dwelling would echo the vernacular, especially the thatched roof. However, these aspects of the design would not mitigate for the harm that would otherwise arise to the rural character and loose-knit and sporadic pattern of development in the locality of the site.
10. The harm I have identified to the CA, a designated heritage asset, would be localised and would therefore be less than substantial. I have therefore weighed the public benefits of the proposal, including the provision of a new dwelling in a settlement which has had modest growth in recent years. But, as a single dwelling, this public benefit is limited and is thus not determinative.
11. It has also been suggested that the appeal scheme would be beneficial as it would tidy up the site and facilitate the removal of existing outbuildings, considered by some to be unsightly. However, from my observations the site in its current state does not detract from the street scene, especially as the sheds are modest structures. Moreover, 'tidying up' the site through the implementation of the appeal scheme would erode its existing rural and informal character and would inherently urbanise it through the erection of a dwelling. I do not consider these to be benefits in this context.
12. The owners of Mulberry Cottage have suggested that there may be some potential to improve parking within Sargents Lane as a result of the appeal scheme, but this is not guaranteed and therefore I afford this limited weight. As such, I am not satisfied the public benefits, when taken together, outweigh the harm I have

identified. In reaching this view I have given great weight to the conservation of the Hadstock CA as a designated heritage asset.

13. Thus, my overall conclusion is that the proposal would harm the significance of the conservation area. The setting of the CA would not be preserved. The proposal would therefore fail to adhere to saved Policy ENV1 of the Uttlesford Local Plan adopted 2005 (LP), which seeks to preserve or enhance the essential features of conservation areas. An objective that is consistent with Section 12 of the National Planning Policy Framework.

The effect of the development on the setting of neighbouring listed buildings

14. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of Bardsfield and Manor House.
15. Bardsfield is separated from the other properties grouped around Sargents Lane by the appeal site. However, it is not viewed as a solitary dwelling from either Walden Road or the public footpath and it is not surrounded by open countryside. Consequently, I do not share the view of the Council that its 'remoteness' is part of its significance as I consider it is read and appreciated as an outlier of Hadstock and thus part of the built form of the village, albeit in an area where the built form is more spacious. As such, the construction of a dwelling within the appeal site would not harm its significance, the way the building is experienced, as it would continue to be experienced as part of a grouping of houses on the periphery of the village. My conclusions in this respect are also applicable to Manor House.
16. In conclusion the proposal would preserve the setting of Bardsfield and Manor House and would therefore adhere to Policy ENV2 of the LP, which seeks to preserve the architectural and historic characteristics and setting of listed buildings. An objectives that is also consistent with the Framework.

Other Matters

17. The appeal site is located towards the periphery of Hadstock and outside of the development limits. It fronts onto an apparently busy road and there is not a pavement linking the appeal site back into the village. Notwithstanding this, the village appears to have very few everyday facilities that would be available to future occupants of the dwelling. As such, I would need to see further evidence before I was satisfied the proposed dwelling would not be isolated from everyday services and facilities with future residents reliant on private cars. However, given my findings above it has not been necessary for me to request further evidence or draw a conclusion on this matter.

Conclusion

18. Whilst I have found that the proposal would not harm the setting of listed buildings this would not outweigh the harm to the conservation area that I have identified. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR