
Appeal Decisions

Site visit made on 5 November 2019

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2019

Appeal A Ref: APP/Z1510/W/19/3230576

Little Common Cottage, Long Lane, Rayne, Braintree, Essex, CM77 6SU.

- 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 and Mrs Nichol against the decision of Braintree District Council.
 - The application Ref 19/00203/HH, dated 6 February 2019, was refused by notice dated 3 April 2019.
 - The development proposed is for a single storey timber garden room and rebuilding garden wall.
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Appeal B Ref: APP/Z1510/Y/19/3230579

Little Common Cottage, Long Lane, Rayne, Braintree, Essex, CM77 6SU.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed buildings consent.
 - The appeal is made by Mr and Mrs Nichol against the decision of Braintree District Council.
 - The application Ref 19/00204/LBC, dated 6 February 2019, was refused by notice dated 3 April 2019.
 - The works proposed are for a single storey timber garden room and rebuilding garden wall.
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Decisions

Appeal A Ref: APP/Z1510/W/19/3230576

1. The appeal is dismissed.

Appeal B Ref: APP/Z1510/Y/19/3230579

2. The appeal is dismissed.

Main Issue

3. I consider the main issue to be the effect of the proposed development on the special architectural and historic interest of Little Common Cottage listed Grade II.

Reasons

4. Little Common Cottage is a detached timber framed dwelling with a thatched roof, listed Grade II. I understand, from the list description that it is believed to date from C17/C18, but with later additions.

5. In my judgement the significance of this listed building relates to the history of its development and thereby its aesthetic and evidential value, in particular its three dimensional form and retained historic fabric.
6. The appellants propose a single storey rear extension together with the rebuilding of the garden wall. The Council raise no objection to the rebuilding of the garden wall. From what I have seen and read I would not conclude otherwise.
7. The proposed addition has been designed in the form and style of a typical contemporary interpretation a historic orangery adapted to suit a smaller dwelling. As designed the addition, due primarily to its three dimensional form, style and the proportion and detailing of the windows selected, would not reflect the vernacular form and detail of the host property. Further. it would not appear as a contrasting contemporary addition that might better reveal the historic building and its significance. In addition, unlike the existing cottage, the proposed orangery would, because of its design, appear as a prominent formal addition out of keeping with the organic vernacular appearance of the existing dwelling.
8. Due to the low eaves height of the cottage, the proposed floor level and roof height of the orangery addition, and as it would be connected to the existing cottage for its full width the existing roof line would need to be cut back to accommodate this new addition. Although, this would not impact on the timber frame it would result in the loss of the existing eaves line and thereby the two small eyebrows over the existing openings in the sidewall of the lounge.
9. Accordingly, in my judgement, due to its design and detailing, the orangery would appear as an awkward alien addition that would have a negative impact on the significance of the listed building. Accordingly, the works would fail to preserve the special architectural and historic interest of this heritage asset.
10. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets, which include listed buildings. It draws a distinction between substantial harm and less than substantial harm to such an asset. For the latter, which applies here, the test is that the harm should be weighed against public benefits, including securing the optimum viable use.
11. The proposed extension would serve to ensure that the listed building remains relevant to family occupation of the dwelling and therefore its use for day-to-day living. This is clearly a public benefit. However, this benefit is plainly not wholly reliant on the proposed addition. Given the harm that has been identified I conclude that the public benefits would not outweigh this harm, or the conflict with: the Framework saved Policies RLP18, RLP90 and RLP 100 of the Braintree District Council - *Braintree Local Plan Review* (Adopted July 2005) and emerging Policies LPP38 and LPP60 of the Braintree District Council Publication Draft for Consultation - *Local Plan* (June 2017). All as they relate to the duties imposed by sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in respect of the desirability of preserving listed buildings or any features of special architectural or historic interest which they possess.
12. For the reasons given above and having regard to all other matters raised, I conclude that the appeals should fail.

Philip Willmer

INSPECTOR