
Appeal Decision

Site visit made on 6 February 2020

by S Shapland BSc (Hons) MSc CMILT MCIHT

an Inspector appointed by the Secretary of State

Decision date: 17 March 2020

Appeal Ref: APP/C1570/W/19/3240471

Halfway House Cottage, Ongar Road, Great Dunmow CM6 1JL

- 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 Shaun Trotman against the decision of Uttlesford District Council.
 - The application Ref UTT/19/1531/HHF, dated 15 June 2019, was refused by notice dated 21 August 2019.
 - The development proposed is erection of 2 no. out buildings.
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Decision

1. The appeal is allowed and planning permission is granted for 2 no. out buildings at Halfway House Cottage, Ongar Road, Great Dunmow CM6 1JL in accordance with the terms of the application, Ref UTT/19/1531/HHF, dated 15 June 2019 and the following plans: Location Plan, Proposed Block Plan dated 1st June 2019, Proposed views out building 1 dated 1st June 2019, Proposed views out building 2 dated 1st June 2019, Tree survey dated 1st June 2019.

Procedural Matter

2. I observed that the development described above has already been carried out, and the application is retrospective. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including the setting of the grade II listed building known as Halfway House Cottage.

Reasons

4. The appeal site is a large plot of land located to the west of Ongar Road. The site is outside of any defined settlement limit and is therefore considered to be within the open countryside. The appeal site includes a Grade II listed building known as Halfway Cottage. This is an 18th Century timber framed cottage, including a thatched hipped roof. The site also includes a large stable block to the north, along with two outbuildings which are located towards the front of the site.
5. This appeal relates to the two outbuildings, the first is a small shed which is currently being used to house pumping and filtration equipment for a nearby pond. This shed is partly sunken into the ground, and is accessed via a small number of steps. The second outbuilding is somewhat larger, covering an

- approximate area of 8.8 metres by 6.5 metres. It has a total height of approximately 3.3 metres. It is finished with wooden cladding with a number of glazed fenestrations to the front.
6. The Council have confirmed that given the scale of the smaller outbuilding, they do not consider that this harms the character and appearance of the area. Based on my assessment and observations during the site visit I have no reason to disagree. Therefore, the remainder of the appeal decision will focus on the impact of the larger of the outbuildings.
 7. Policy S7 of the Uttlesford Local Plan 2005 (LP) states that development in the open countryside will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set. The appeal site with its large gardens has a rural open feel, and the provision of mature vegetation on the boundaries gives it a verdant character. The outbuilding is located within the corner of the appeal site, and is well screened from Ongar Road via mature vegetation. During my site visit I found that the outbuilding was not overly visible from any external viewpoints from outside of the site. The external materials used in the construction of the outbuilding means that it has an agricultural appearance. Within the context of the rural character of the site this does not appear as an incongruous addition. Given the scale and positioning of the building, I find that it does not harm the character and appearance of the area and thus protects its rural characteristics.
 8. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (The Act) requires special regard to be had to the desirability of preserving a listed building or its setting, or any features of special architectural or historic interest which it possesses when dealing with planning applications.
 9. The National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Substantial harm to or loss of a Grade II listed building should be exceptional. The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced.
 10. The significance of the listed building is derived from its architectural interest which includes its thatched hipped roof. Given the distinct rural nature of the listed building, the rural setting of large gardens around the cottage is a factor which contributes towards its significance. The Council have raised concerns that the incremental increase of built form on the site has therefore negatively impacted the setting of the listed building. I do not find this to be the case. The larger outbuilding is located within the corner of the appeal site and finished with materials which give it a rural appearance which integrates well within the context of the site. Whilst the building is visible from the listed building, it is located a fair distance away so does not appear visually intrusive when viewed from the listed building. Furthermore, whilst there is other built form on the appeal site, the most notable of this is set to the north of the cottage a fair distance away from the outbuilding. I do not find that cumulatively there is

extensive built form which detracts from the rural nature of the site. Consequently, I find that the appeal proposal would preserve the setting of the listed building.

11. Accordingly, I find that the proposal does not harm the character and appearance of the area or the setting of the listed building. As such, there is no conflict with policies S7 and GEN2 of the LP. Together these seek, amongst other things, that new development is compatible with existing buildings and protects or enhances the characteristics of the countryside. I find no conflict with policy ENV2 of the LP which seeks, amongst other things, that development should not adversely affect the setting of listed buildings.
12. The Council have not suggested any conditions as the application is retrospective and works have already been carried out. As such I find that it is not necessary to attach any additional conditions.
13. Having regard to all matters raised, it is concluded that the appeal should be allowed and planning permission granted.

S Shapland

INSPECTOR