



Appeal Decision

Site visit made on 18 February 2020

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2020

Appeal Ref: APP/C1570/D/19/3240872

4 Battles Hall Barns, Maggots End Road, Manuden CM23 1BJ

- 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 Duncan Chalk against the decision of Uttlesford District Council.
 - The application Ref UTT/19/2106/HHF, dated 24 August 2019, was refused by notice dated 6 November 2019.
 - The development proposed is addition of 4no. conservation rooflights.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development on the banner above is that used by the Council in the Decision Notice. This describes the development more succinctly than that used by the appellant. I am satisfied that no injustice is caused to either party by the substituted text.

Main Issue

3. The main issue is the effect of the development on the special historic and architectural interest of the host dwelling.

Reasons

4. The appeal site is located within the curtilage of Battles Hall, which is a Grade II Listed farmhouse. The appeal site is one property within a courtyard of barns converted to dwellings and is situated within the open countryside and backs on to agricultural land.
5. The proposal is to insert four conservation style rooflights in the eastern roof slope of the property. There are three rooflights already in situ on the western roof slope. A previous application for two dormers was refused, then dismissed at appeal in 2019 (APP/C1570/D/19/3223327). Following discussions, the application subject to this appeal was submitted in order to overcome the issues raised.
6. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 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.

7. This is reflected in Saved Policy ENV2 of the Uttlesford Local Plan (2005) (the LP) which states that development affecting a listed building should be in keeping with its scale, character and surroundings.
8. The insertion of the rooflights would be a modest addition to the appeal dwelling, but an additional four rooflights, when seen in conjunction with those on the opposite slope would give a domesticated, modern feel to a historic structure that is located within the curtilage to a Listed Building.
9. Nonetheless, the effect of the proposal would be very localised, and the overall harm would be less than substantial. The National Planning Policy Framework outlines in Paragraph 196 that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, then this should be weighed against the public benefits of the proposal.
10. There are no public benefits forwarded in support of the proposal. The arguments advanced by the appellant relate to improvements to the amenities of the occupiers of the dwelling, namely the possibility of fire escape, natural ventilation, and views across the fields. These do not amount to public benefits and therefore do not outweigh the harm that I have identified.
11. As a result, the proposal would not preserve the special architectural and historic interest of the host dwelling, and therefore conflicts with Policy ENV2 of the LP and the heritage aims of the Framework.

Other Matters

12. I have noted the frustrations of the appellant in that a refusal was issued despite having taken the advice of the historic consultee prior to submission and the number of approvals given elsewhere, as well as the limited architectural merit of the host dwelling. However, I have to deal with the scheme on its own merits, in line with local and national planning policy, and I have identified harm accordingly.

Conclusion

13. For the above reasons and having considered all the matters raised I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR