



Appeal Decision

Site visit made on 10 August 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2020

Appeal Ref: APP/P1560/D/20/3248768

Alta Vista, Ash Street, Wrabness, Essex CO11 2TG

- 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 & Mrs Bartholomew against the decision of Tendring District Council.
 - The application Ref 19/01789/FUL, dated 21 November 2019, was refused by notice dated 20 February 2020.
 - The development proposed is a detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area, with reference to the setting of adjacent listed buildings.

Reasons

3. The appeal property is part of a small group of buildings in the countryside. These consist of a number of dwellings, All Saints' Church and farm buildings. The church is listed at grade II* and a bell house within the church yard is listed at grade II. The appeal property is a chalet dwelling which is set back from the road and adjacent to the church, to its west. On the other side of the appeal property is a bungalow which is set further back. There is a garage forward of that bungalow. Further to the west there are houses which are close to the road.
4. I saw on my visit that there is a hedge and vegetation along the boundary between the site and the adjacent bungalow. This would screen the proposed garage from view from the west. However, the garage would be clearly visible from the road to the east, and from the church yard.
5. The church is of considerable age, dating from the 12th to 15th centuries. The bell house is close to the road frontage and is a prominent feature of historic significance. The church yard is enclosed by a low wall and has an open quality, in keeping with the generally open rural setting.
6. Viewed within this setting, and in close proximity to the designated heritage assets, the garage would be intrusive. It would detract from the quality of the setting and its historic significance. For this reason, the proposal would

adversely affect the setting of the listed buildings. It would not accord with Policy EN23 of the Local Plan¹ (LP) which resists development that would have such an effect.

7. Neither would the proposal accord with Policy QL9 of the LP, which requires maintenance or enhancement of local character, or Policy QL11, which resists loss or damage to the historic environment.
8. The draft Local Plan² includes policies PPL 9 and SPL3 which have similar requirements to the above policies. However, the weight that can be given to those draft policies is limited because of the unadopted status of the draft Plan.
9. The harm to the setting of the listed buildings would be less than substantial, because the proposal would affect part of their setting. I give considerable weight to that harm, however, and this is not outweighed by any public benefit that would accrue from the proposal.
10. While there is a varied building line to Ash Street, and an adjacent forward garage, the hedge and vegetation obscures views of that garage in conjunction with the listed buildings. For the reasons given, I find that the proposal would unacceptably harm the character and appearance of the area.
11. The Council's decision refers to Policy QL10 of the LP. This policy requires functional needs to be met, including accessibility. This is not a matter at issue, and so this policy is not relevant to my decision.
12. I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR

¹ Tendring District Local Plan (2007)

² Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017)