
Appeal Decision

Site visit made on 18 August 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2020

Appeal Ref: APP/C1570/W/20/3250406

Pippins, Dunmow Road, High Roding CM6 1NW

- 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 Stocking against the decision of Uttlesford District Council.
 - The application Ref UTT/19/2170/FUL, dated 28 August 2019, was refused by notice dated 26 February 2020.
 - The development proposed is demolition of existing modern garage. Erection of three-bedroom cottage. Erection of pair of garages serving new dwelling and existing cottage. Associated landscaping works including decommissioning existing access and creating new access to highway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the development on the character or appearance of the High Roding Conservation Area and on the setting of Pippins, a Grade II Listed Building.

Reasons

3. The appeal site is located within the High Roding Conservation Area (CA) and forms part of the garden of Pippins, a Grade II listed timber framed and thatched cottage. It comprises a detached garage, which is partially screened from the road by an existing hedge. The High Roding Conservation Area Appraisal and Management Proposals 2014 (CAA) describes High Roding as a linear rural community in open countryside situated along a long straight section of the B184 Dunmow Road.
4. There is a concentration of listed buildings either side of the main road, a large number of which are thatched. Along Dunmow Road there are several open gaps which are important to the character of the Conservation Area. These gaps perform an important function separating groups of listed buildings on the main street. In my view the significance of the CA is largely drawn from the collective group of high quality historic buildings separated by open gaps. The Pippins significance is derived from its architectural quality, as well as through forming part of the group of historic buildings.

5. Adjacent to the site is a village hall of modest scale, which is currently separated from the listed building by the existing single storey garage. This visual separation provides a clear transition between the two buildings. The proposed development would result in the hedge and garage being removed and the construction of a 1 ½ storey dwelling, with a garage for Pippins being set back into the site.
6. Although the site is generally screened by the existing hedge, the lack of built development still enables the space between Pippins and the village hall to be experienced as a gap within the Conservation Area. Whilst the height of the proposed dwelling would be lower than Pippins, it would be taller than the village hall and this would increase the sense of enclosure between the two buildings. Therefore, the development would enclose the visual gap which currently exists between the properties and increase the massing of development in close proximity to the Pippins.
7. The proposed dwelling, as a result of its bulky double pile structure, would result in a plan form that would be at odds with development within the vicinity. Its side elevation in particular would be in stark contrast to Pippins and the traditional buildings along Dunmow Road. In my view this contrast and diversion of attention would harm the significance of Pippins and would encroach upon its setting. This would both reduce the significance of the host building and result in the loss of an important gap and therefore fail to preserve or enhance the Conservation Area.
8. In line with paragraph 193 of the National Planning Policy Framework (the Framework), I afford the harm that would arise to the heritage asset great weight. Given that the proposal would be of a relatively small scale in the context of the Conservation Area, the proposed development would also be harmful to the setting of the listed building, and thereby the significance of the designated heritage assets. I find the harm to the heritage assets to be less than substantial in this instance.
9. Nevertheless, the harm would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal. Whilst the site would give rise to some economic benefits during the construction phase and I consider that there would be modest social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area.
10. However, these modest benefits are not considered to outweigh the identified harm to which I must attach considerable importance and weight. The proposal would, therefore, fail to preserve or enhance the setting, and thereby the significance of, the designated heritage asset. It would not accord with the policies of the Framework which seek to conserve and enhance the historic environment.
11. I conclude that the development proposed would fail to preserve or enhance the character or appearance of the High Roding Conservation Area and on the setting of Pippins, a Grade II Listed Building. This would be contrary to policies ENV1 and ENV2 of the Uttlesford Local Plan 2005, which requires development to preserve or enhance the character and appearance of the Conservation Area and that development affecting a listed building should be in keeping with its scale, character and surroundings.

Other matters

12. The Council's decision notice refers to policy H8 of the LP. Whilst I have not been provided with a copy of this policy, the evidence indicates that the policy deals with home extensions. As it has not been referenced within the officers' delegated report and has been omitted from the Council's reason for refusal cited in the appeal statement, I consider that it was included in error.
13. Reference has been made to other dwellings that have been granted within High Roding, however the characteristics of each site are different and the circumstances that applied to other cases may not be directly comparable to the appeal proposal.
14. The appellant challenges whether the Council can demonstrate a five-year supply of deliverable housing sites, albeit I have not been provided with details of the exact level of shortfall. However, paragraph 11(d) of the Framework is not engaged, because the policies in the Framework relating to heritage assets provide a clear reason for refusing the development proposal.¹

Conclusion

15. I conclude that the appeal is dismissed.

G. Pannell

INSPECTOR

¹ National Planning Policy Framework Paragraph 11(d) Footnote 6