



Appeal Decision

Site visit made on 9 September 2020

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 September 2020

Appeal Ref: APP/C1570/D/20/3254673

4 Battles Hall Barns, The Longhouse, 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/20/0937/HHF, dated 23 April 2020, was refused by notice dated 18 June 2020.
 - The development proposed is the addition of conservation rooflight.
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Decision

1. The appeal is allowed and planning permission is granted for the addition of conservation rooflight at 4 Battles Hall Barns, The Longhouse, Manuden CM23 1BJ in accordance with the terms of the application, Ref UTT/20/0937/HHF, dated 23 April 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan; block / site plan; plan view; front view from west / east and side view.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those use in the existing building.

Procedural Matter

2. I have taken the development description as being that used by the Council in the Decision Notice, rather than that set out on the application form. The development description set out above is sufficiently accurate and significantly more concise than that set out on the application form. I am satisfied that neither party would be prejudiced by the revised wording.

Main Issue

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

Reasons

4. The appeal property is one of a group of former barns converted to dwellings within the curtilage of the Grade II listed Battles Hall. The northern and eastern sides of the courtyard formed by the buildings are wholly enclosed, the western partly so, whilst the southern boundary is enclosed by another building

- which effectively turns its back on to the courtyard. No. 4 forms the eastern courtyard building.
5. The proposal is for the insertion of a pair of rooflights immediately next to each other, described as 'conservation' rooflights, on the east facing roof slope of No. 4. There are already three rooflights on the west facing elevation of the appeal property. The current proposal is the latest in a series of planning applications culminating in appeals for two dormer windows¹ and four conservation rooflights² on the east facing roof slope.
 6. The existing rooflight at the southern end of the west-facing roof slope serves a small upper floor bedroom. The appellant advises that that window is the sole point of light and ventilation to that room and its en-suite bathroom. As a consequence of its west facing orientation and limited opening aperture the room becomes over-heated during sunny summer periods, rendering occupation of the room uncomfortable, unpleasant and, at times of extreme heat, unusable. The proposal would allow through-ventilation of the room as a means to combat these concerns.
 7. Unlike the existing rooflights on the west facing roof slope, the east facing roof slope of the appeal property is not visible from within the courtyard. Whereas the west facing roof slope is punctuated by three individual rooflights, the east facing slope is uninterrupted other than a stove-pipe chimney which projects through the slope.
 8. The Council are concerned that the introduction of the pair of rooflights into the largely uninterrupted east facing roof slope would change the character of the building, and the observer's experience of it, to being overly domestic. I disagree.
 9. The approach to No. 4 from the west is through an already domesticated residential setting or driveways and lawned front gardens, albeit within the traditional rural form and appearance that the barns provide as a backdrop. At the rear, the appeal property's extensive, landscaped and terraced garden area has a distinctly domesticated appearance. Inevitably it, and other gardens, display the unavoidable trappings of domestic paraphernalia and domestic garden landscaping. The complex of buildings may back on to rolling agricultural fields, to which the Council contend that the building's eastern elevation responds, but to accept that is not to accept that the buildings and the land around them do not already display domestic residential trappings.
 10. The pair of rooflights would be located directly next to each other. Their strong vertical proportions would create a slim, vertically proportioned injection into the roof slope, discretely located towards one end (the southern end) of the appeal property's lengthy roof axis. In the overall context of this lengthy north-south roof axis, the proposed rooflights would be a minor intervention into the roof slope. Nor would they be widely seen, other than from aerial vantage points, in conjunction with existing rooflights on the west facing elevation. The otherwise uninterrupted roof form, long north-south axis and dark painted weather boarded elevations would remain the dominant features and undeniable drivers of the appeal property's historic and architectural significance, interest and character.

¹ APP/C1570/D/19/3223327

² APP/C1570/D/19/3240872

11. The current proposal represents a minor intervention into the appeal property's overall roof structure. It would not, I conclude, adversely change the experience of the appeal property as a traditional, former agricultural building, converted to residential use. The proposal would be a visible alteration to the building's east-facing roof slope but for the reasons I have set out above, it would have a neutral effect on its overall character or appearance. A neutral effect means that the special architectural and historic interest of the building would be preserved. There would be no conflict with the aims of ULP policy ENV2 or the National Planning Policy Framework (the Framework). In reaching this conclusion I have had special regard to the desirability of preserving the building or any features of special architectural interest which it possesses as required by the statutory duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conditions

12. I have considered the Council's suggested conditions in light of the advice and guidance set out in the Framework and Planning Practice Guidance. I agree that time limit and plans conditions should be imposed and are necessary in order to provide certainty. A materials condition to ensure that the proposed development uses external materials to match those already present on the existing building is necessary in the interests of character and appearance.

Conclusion

13. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR