



Appeal Decision

Site Visit made on 17 November 2020

by Paul Thompson Dip TRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/C1570/D/20/3254914

76 Woodside Green, Great Hallingbury, CM22 7UU

- 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 Ms R Flight against the decision of Uttlesford District Council.
 - The application Ref UTT/20/0920/HHF, dated 21 April 2020, was refused by notice dated 11 June 2020.
 - The development proposed is one and half storey extension (revised).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. I observed during my site visit that an area of outdoor space enclosed by fences and gates was apparent to the north and west of the appeal property. These are not shown on the application drawings considered by the Council and on which interested parties' views were sought. I have therefore dealt with the appeal on the basis of the application drawings: 2019-305-201 Revision A and 2019-305-210 Revision A.

Main Issues

3. The main issues are: -
 - the effect of the proposed development on the character and appearance of the host property and the surrounding area, including the setting of the listed building, known as 71-75 Woodside Green;
 - whether the proposed arrangements for private outdoor space provide adequate living conditions for the occupiers of the host property; and
 - whether the proposed arrangements for vehicle parking would be suitable to serve the host property.

Reasons

Character and appearance, including setting of the listed building

4. The appeal site concerns a detached property, finished in dark stained horizontal timber boarding and red clay pantiles. The houses in the surrounding area are of varying age, scale and appearance. They are predominantly set back from the western side of the road, behind fences and mature planting, and arranged in unevenly spaced groupings, interspersed by open countryside. Moreover, the appeal property, the terraced row of former worker's cottages at Nos 71-75 and a pair of houses beyond constitute one grouping. Houses north

and south are separated by open land. The appeal property is in stark contrast to the other houses in the group, which have more generous grounds to the front and rear, and already occupies a large portion of its landholding.

5. The two-storey terraced row of worker's cottages to the south are of early 19th Century origin and Grade II listed. They are arranged in handed pairs, except No 75 at the northern end of the row. The roofs are clad with slate and front façades finished in unevenly sized pieces of flint, with openings dressed by red brick. The windows are small paned cast iron casements, some with Gothic heads. Parking for the cottages is in the courtyard to the west of the appeal property, served by an access north of No 75.
6. In the late 1980s, the cottages were all extended with a second two-storey gabled arranged parallel to the original at the rear, with a valley between. There are also single storey projections and numerous outbuildings to the rear of the cottages. A garage to the side of No 75 was removed and replaced by an extension constructed of horizontal timber boarding in 2013.
7. Despite the more modern extensions to the listed cottages, their significance today is derived from their architectural and historic interest, as noteworthy examples of 19th Century worker's cottages. In particular, the use of flint with brick embellishments ensures that their architecture is ambitious and decorative. Its distinctive appearance and the length of the front façade ensures that the listed building remains prominent within its surroundings.
8. Given that the access and parking courtyard are shared by the cottages, the surroundings of the site have a semi-public feel. Beyond the site, although mature planting to the east of the appeal property reduces its visibility in the context of the listed cottages, I am mindful that vegetation is subject to seasonal change and is, in any event, ephemeral. Moreover, the appeal property and the roof form of the cottages are evident from the northeast through the trees and gaps in the planting. The cottages also emerge in views further south.
9. I am mindful of the definition of 'setting' in the National Planning Policy Framework (the Framework) as being the surroundings in which a heritage asset is experienced. In light of the above, the appeal property and its grounds, including the adjacent parking courtyard, form an integral part of the setting of the listed building, which contributes to its understanding and significance as a heritage asset.
10. The design of the proposed extension would respect the proportions and appearance of the host property, as it would be constructed of matching materials, set down from its existing ridge and in from the northern gable end. The dormer window would also be like other similar features found on houses in Woodside Green. Nevertheless, the resultant scale of the host property would be noticeably larger than the existing built presence within the site, to the extent that it would appear constricted within the site, as shown on the application drawings. This would set it more greatly at odds with the more spacious surroundings of the other properties, aggravating the relationship of the host property within the group. Given its degree of prominence and close proximity to the listed cottages, it would have a harmful effect on the character and appearance of the area and the setting of the listed building.

11. I have had regard to other approved developments at Vine Lodge and Woodside House, to which I have been referred but, as those developments relate to properties situated in spacious grounds, they would not be comparable with the appeal scheme before me.
12. The statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) is a matter of considerable importance and weight. Paragraph 192 of the Framework states that the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation should be taken into account in determining applications. Meanwhile, paragraph 193 also advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation.
13. The proposed development would be harmful to the setting of the Grade II listed cottages, which would have a negative effect on their significance as a designated heritage asset. In my view the harm that I have identified would equate to less than substantial harm to the significance of the heritage asset. In such circumstances, paragraph 196 of the Framework identifies that this harm should be weighed against the public benefits of proposals, which includes the securing of optimal viable use of listed buildings.
14. There would be improvements to the layout of both floors of the appeal property, particularly at first floor, where one bedroom is accessed through the other. While this would better meet the needs of the appellant, such benefits would be largely private. The public benefits that have been advanced would therefore not outweigh the great weight to be given to the less than substantial harm that I have identified.
15. Given the above, despite my findings in relation to the appearance of the extension in relation to the host property, I conclude that the appeal scheme would have an unacceptably harmful effect on the character and appearance of the area and would be harmful to the setting of the listed building. Hence, the proposal fails to satisfy the requirements of the Act, paragraphs 192 and 193 of the Framework and conflicts with the design aims of Policies ENV2, GEN2, H8 and S7 of the Uttlesford Local Plan (Adopted 20 January 2005) (the LP) and the Essex Design Guide (the EDG).

Private Outdoor Space

16. The existing private outdoor space, shown on the application drawings, is to the south and west of the host property. Due to the proposed extension and parking arrangements the outdoor space would be reduced to a space commensurate in size to the proposed parking space, south of the property; and a narrow strip of land between the extension and the parking court. Given their resultant size, both spaces would be more likely to be ornamental than a usable and would be likely to be impacted upon by noise and fumes associated with vehicles in the parking courtyard.
17. I am mindful that the property has outlook across the countryside to the north and west, as well as toward the trees and pond to the east; and is within close proximity of the parkland in Hatfield Forest. While this would contribute positively to the living environment and wellbeing of the occupants of the appeal property, they are not attributes that are exclusive to the property, as there are numerous properties in the locality. Furthermore, the proposed

private outdoor spaces would be significantly smaller than those available to other nearby properties and fall well below the suggested standards for two-bedroom houses contained in the EDG.

18. In light of the above, I conclude that the proposed arrangements for private outdoor space would be harmful to the living conditions of the existing and future occupiers of the host property. Hence the proposal would conflict with the expectations for new development in respect of living conditions outlined in Policy GEN2 of the LP and the EDG.

Parking

19. The application drawings suggest that parking spaces would be provided for two vehicles, one of which would be situated east-west within the existing outdoor space to the south of the property. The other space would be positioned to the west of the property, south of the proposed extension.
20. The details shown on the application drawings demonstrate that vehicles could be reversed out of the proposed parking spaces in straightforward two-point manoeuvres and so would be able to enter and leave in a forward gear. The proposed spaces would also be significantly in excess of six metres away from the spaces to the west in the parking courtyard.
21. I therefore conclude that the proposed arrangements for vehicle parking would be suitable to serve the host property. Hence, the proposal would accord with the vehicle parking standards set out in Policy GEN8 of the LP, the Uttlesford Local Residential Parking Standards (February 2013) and the EDG.

Other Matters

22. The appellant has referred to the consistency of the Council's decision-making, particularly in respect of a recent application for a similar proposal at the site. This is not a matter for me to consider as part of this appeal and I have considered the individual merits of the appeal scheme in relation to the relevant policies and evidence before me.

Conclusion

23. I have found harm in respect of the character and appearance of the area, including the setting of the listed building, and the private outdoor space for the occupiers of the appeal property, and there are no other considerations which would outweigh these findings. Accordingly, for the reasons given, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR