



Appeal Decisions

Site visit made on 12 January 2021

by Frances Mahoney MRTPI IHBC

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

Decision date: 11 February 2021

Appeal A: APP/P1560/D/20/3248022

Grove Cottage, Bentley Road, Little Bromley, Manningtree, Essex CO11 2PL

- 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 Mrs Cooper against the decision of Tendring District Council.
 - The application Ref 19/01150/FUL, dated 1 August 2019, was refused by notice dated 9 December 2019.
 - The development applied for is the retention of porch to front elevation.
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Appeal B: APP/P1560/Y/20/3248032

Grove Cottage, Bentley Road, Little Bromley, Manningtree, Essex CO11 2PL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Cooper against the decision of Tendring District Council.
 - The application Ref 19/01151/LBC, dated 1 August 2019, was refused by notice dated 9 December 2019.
 - The works applied for is the retention of porch to front elevation.
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Decisions

Appeal A: APP/P1560/D/20/3248022

1. The appeal is allowed, and planning permission is granted for porch to front elevation at Grove Cottage, Bentley Road, Little Bromley, Manningtree, Essex CO11 2PL, in accordance with the terms of the application, Ref 19/01150/FUL, dated 1 August 2019.

Appeal B: APP/P1560/Y/20/3248032

2. The appeal is allowed, and listed building consent is granted for the retention of the existing porch on the front elevation at Grove Cottage, Bentley Road, Little Bromley, Manningtree, Essex CO11 2PL, in accordance with the terms of the application, Ref 19/01151/LBC, dated 1 August 2019.

Preliminary matters

3. At the site visit it was evident that the porch as detailed on plan no 890/02 (Part Plan and Elevations) had already been erected. As the front porch as constructed, in my judgement, is in accordance with the submitted plans, both appeals detailed above will be considered as being retrospective. Appeals A and B cover permission/consent for the same building (front porch). The main issue

revolves around the effect of the front porch on the significance and special architectural and historic interest of the Heritage Asset. I have dealt with both appeals in tandem unless indicated otherwise.

4. Since the refusal of planning permission and listed building consent for the front porch and the subsequent lodging of this appeal, the Council has adopted the *Tendring District Local Plan 2013-2033 and Beyond Section 1 North Essex Authorities' Shared Strategic Section 1 Plan* on the 26 January 2021. As decision-maker I am charged with considering this appeal in the context of Development Plan policy applicable at the time the decision is taken. However, both parties have confirmed that the adopted policies of the Section 1 Local Plan have no bearing on these particular appeals. I shall, therefore, consider the front porch in the context of the policies already identified and relied upon by the main parties.

Reasons

5. Grove Cottage¹ is a grade II listed building and consequently as decision-maker I must consider this appeal in light of the statutory duties placed upon me in Section 66(1) and of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require that special regard shall be had to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.
6. Further, when considering the impact of a development on the significance of a designated Heritage Asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance².
7. Grove Cottage is of 16th century origins with an off-centre red brick chimney stack within a hipped red plain tile roof with gablets. The listing description also mentions a vertically boarded door to the left of the front elevation and an intact internal four bay timber frame. The building was first listed in March 1987³. The building now stands in isolation, away from the main road, accessed via an unmade track. A lack of roadside vegetation when approaching the vicinity of the house from the north west affords the building considerable visual prominence from Bentley Road. Even at a distance Grove Cottage can be experienced in the context of the surrounding open countryside, still in agricultural use⁴.
8. Whilst there is no longer a functional linkage with the surrounding fields, the juxtaposition of the former farmhouse with the cultivated land is a distinct expression of the historic relationship of the building with its agrarian origins, visually still discernible to the casual observer.
9. Glebe Cottage, with its dominant hipped roof, along with its simple overall form, scale and massing, still exhibits a flavour of the 16th century farmhouse which, over time has been modified, but still retains the form and stature of a building of historic importance in the landscape. This, in conjunction with the importance

¹ The listing description gives the name of the house as Grove Farmhouse. From the description and the accompanying location map it is clear that Grove Farmhouse is now known as Grove Cottage.

² National Planning Policy Framework (the Framework) para 193.

³ Neither the listing nor the architectural interest alone or in combination express the totality of the significance of the historic building and its associated environs.

⁴ The setting of the heritage asset.

of the agrarian setting of the building to providing an understanding of the historic importance of the old farmhouse is the essence of the significance of this Heritage Asset.

10. The listing description of 1987 does not refer to there being a front porch. However, Mrs Herington, who has known the house for some 80 years is very clear in her recollection of there having been a front porch in the same location during her working association with the Farmhouse. I have no reason to doubt Mrs Herrington's recollections. However, no evidence has been provided as to the actual appearance or size of the porch which it has been claimed was replaced, other than it was similar to that now in situ. Therefore, I must consider the front porch in the context of it being a new addition and its impact on the significance of the listed building.
11. The architectural interest of the house, externally⁵, is centred on the form, scale and massing of the house, particularly the relationship of the roof proportions to the main house. This is the main contributing factor to the sense of simplicity in the form of the house's front façade. The off-set chimney stack, the single-story extensions to either side of the building, and the 20th century small paned windows do not detract from the overall dominant form and stature of the house.
12. The front porch is set off to the left of the façade and is simple in form, adopting a tiled pitched roof, in a location where the listing description refers to a vertically boarded door⁶. The design of the porch reflects the simple character of the house and does not harm the aesthetic of the front façade nor of its architectural interest which are still visually discernible from its setting in the agrarian landscape. Therefore, I consider the design of the front porch maintains the simplicity of the form of the original front façade, designed in such a way as to relate satisfactorily to the character of the house⁷, preserving the historic interest of the listed building⁸.
13. The porch has a neutral effect on the significance of the Heritage Asset. In this way there is no resultant harm, whether to design considerations, or to the asset's conservation⁹. Therefore, I find no conflict with the relevant Development Plan policies or the terms of the Framework and accordingly the appeal is allowed.
14. As the front porch has already been built and I am satisfied that it is in accordance with the submitted plans¹⁰ I see no need to impose any conditions.

Frances Mahoney

Inspector

⁵ The porch does not impact on the internal features of architectural interest.

⁶ The Heritage Statement includes a photograph of the front door within the porch which is of the nature described in the listing description.

⁷ Tendring District Local Plan 2007 (LP) Saved Policies QL9, QL10 & QL11.

⁸ LP Saved Policy EN22.

⁹ To which great weight must be ascribed.

¹⁰ Para 3 of this decision.