
Appeal Decisions

Site visit made on 16 February 2021

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal A: APP/C1570/W/20/3259293

Holly Cottage, Pelham Road, Berden CM23 1AE

- 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 Jan Hunter against the decision of Uttlesford District Council.
 - The application Ref UTT/20/0788/HHF, dated 30 March 2020, was refused by notice dated 25 June 2020.
 - The development proposed is rear extension.
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Appeal B: APP/C1570/Y/20/3259292

Holly Cottage, Pelham Road, Berden CM23 1AE

- 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 Ms Jan Hunter against the decision of Uttlesford District Council.
 - The application Ref UTT/20/0789/LB, dated 30 March 2020, was refused by notice dated 25 June 2020.
 - The works proposed are rear extension.
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Decision

1. Appeals A and B are dismissed.

Procedural Matters

2. The Procedural Guide Planning Appeals – England states that *only the person who made the planning application can make an appeal*. In this case, the appeal was lodged by Mr Paul Chambers, but the applicant subsequently clarified that they wish to continue with the appeal in their name. I have therefore considered the appeal on this basis.
3. The two appeals concern the same scheme under different, complementary legislation, so I have dealt with both appeals together in my reasoning.
4. The appellant's Appeal Statement refers to a revised window arrangement but this appears to be identical to that shown on the application drawings, I have therefore determined the appeal in accordance with the application drawings.

Main Issue

5. The main issue is whether the proposals would preserve a Grade II listed building, known as 'White House Farmhouse'¹, and any of the features of special architectural or historic interest that it possesses, including its setting.

¹ The building is now two separate properties known as Holly Cottage and Ivy Cottage.

Reasons

Significance and setting

6. The listed building is a timber-framed former farmhouse of 16th Century origin roughly arranged on a H-shape plan with gabled cross wings. The west wing projects to the south and both have been extended over time to a varying extent to the north. The building is now occupied as two separate cottages and the appeal relates to the east of the building, known as Holly Cottage, with the remainder occupied as Ivy Cottage. The cottages are one and two storeys, respectively, each with attic rooms primarily served by windows in gables or dormer windows.
7. The walls are painted render, the roof clad with red clay plain tiles and windows are contemporary casements, but Holly Cottage incorporates a more elaborate ground floor bay window and 6-panel door with a side panel of 3 panels. To the centre of the roof is a large rectangular chimney stack with a distinctive broad central pilaster to the front. The roof pitches and form of the extensions to both wings vary. Holly Cottage also has a modern porch to the side and an ancillary building is accessible from the garden at the rear, beyond which are former farm buildings that have been converted to separate residential use.
8. The appellant's Heritage Statement² and its Addendum³ both refer to the internal fabric of Holly Cottage, the exposed timber frame of which is still evident. In terms of the extension to the rear, these documents suggest that the rafters and central purlin in the roof illustrate that it was likely erected either in the late 16th Century or early 17th Century, so would have formed part of the early enlargement of the farmhouse and served either as the kitchen or another ancillary use, such as a dairy. On the ground floor, the documents allude to the presence of limited historic features, as they suggest that the original timber frame structure has been replaced with modern masonry construction. Moreover, the appellant indicates that the diagonally braced exposed timbers to the west wall and the machine-sawn and chamfered ceiling timbers are all likely to be later additions, with the former also being cosmetic. I note that the Council has not disputed the appellant's assessment of these matters, so the ground floor fabric will be of lesser significance.
9. Nevertheless, the plan form of buildings can also contribute to the significance of listed buildings, as it helps to demonstrate how buildings have been used, including any changes in the size or occupation of the rooms within the building to reflect the needs of society at that time. Much of the historic floor plan of Holly Cottage, including the extension to the rear, appears to remain intact.
10. Despite later alterations and extensions, as far as is relevant to this appeal, the significance of the listed cottages is derived from their architectural and historic interest, as an attractive and well-maintained 16th century timber framed former farmhouse, with later additions, situated within a prominent position at the historic core of the village. In particular, much of the historic floor plan layout and built fabric of the building, including the position of external walls, appears to remain intact.
11. I am mindful of the definition of 'setting' in the National Planning Policy Framework (the Framework) as being the surroundings in which a heritage

² Dated 10 March 2020.

³ Dated 14 May 2020.

asset is experienced. The ordnance survey plans of the village illustrate that the cottages and other properties around the green developed to form the historic core of the village, most likely in connection with the growth in agricultural trade. These include several other notable buildings of historic interest, which form an attractive group around the green. The garden to the side and rear of Holly Cottage also adjoins an access driveway, which serves as a public footpath. While this is delineated by a timber fence, the cottages and the buildings at the rear are visible above it, which ensures they are prominent within the surrounding area. The garden of the listed building, the properties to its rear and around the green therefore form an integral part of the setting of the listed building, which contributes its understanding and significance as a heritage asset.

The effect of the proposal

12. The room hierarchy within the remainder of the ground floor of Holly Cottage would remain intact and, based on the evidence before me, the proposed lost fabric is relatively modern, so there would not be loss of historic or significant fabric associated with the proposal. The reintroduction of a fireplace serving the redundant chimney stack would also not be harmful. Nevertheless, the extent of the proposed opening in the existing north wall would significantly disturb the proportions of the kitchen within the overall historic floor plan of the listed building. Moreover, an open plan form would be introduced that would be inconsistent with its humbler domestic scale. The proportions and form of the bay window installation to the east façade of the existing rear extension would also stand out as an uncomfortable and harmful addition that would compete with the prominent bay window found to the front of the building and contrast with the smaller casement windows found elsewhere on the building.
13. Although the proposed extension would add to an existing extension of Holly Cottage, it would respect the proportions of the cottage and be a further modestly sized addition to it. Moreover, the ridge and eaves would be set below the existing and it would also have a lightweight appearance due to the large areas of glazing. The modern, simple, yet contrasting form of the proposed extension would be clearly read as a contemporary addition to the listed building and a later stage of its development. The proposed extension would also not occupy a significant proportion of the garden of the listed cottage, nor would it compete with or detract from it. The cottage would therefore continue to contribute positively within its setting.
14. Despite my findings in relation to the design of the proposed extension, given the scale and form of the proposed bay window in the east wall, a discordant form of development would be introduced that would have a significantly detrimental effect on the character and appearance of the listed cottage. Furthermore, the extent of the opening in the north wall of the existing rear extension would be harmful to the understanding and legibility of the listed building, and thereby its significance as a heritage asset.

Public benefits and conclusions

15. The statutory duties in Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) are matters 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. Furthermore, paragraph 193 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification.

16. The proposals would be harmful to the special historic interest of the Grade II listed building and would have a negative effect on its 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 designated heritage asset, but nevertheless of considerable importance and weight. 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.
17. The proposal would increase the size of the internal living environment of the cottage and provide additional natural light to the kitchen, which is only served by two small windows. While the proposed works and development would better meet the needs of the appellant and her family, such benefits would be largely private.
18. I accept that the proposal to increase natural light and space would avoid alteration to the main historic core of the listed building. However, given the existing layout, it is unclear how light would penetrate from the altered openings of the extension beyond the hallway and further into the cottage, as the existing doorway between is the only opening into the cottage. There is also no substantive evidence before me that other solutions to these individual matters have first been explored and, in any event, this would not justify allowing works and development which I consider would be harmful.
19. The aforementioned public benefits are balanced by the harm to the character and appearance of the listed building and disturbance to its historic floor plan. Furthermore, there is no substantive evidence before me to suggest that the proposal is required to make the building habitable or sustain the heritage asset. The continued viable use of the appeal property as a cottage is therefore not dependent on the proposal, as the building has an ongoing residential use that would not cease in its absence.
20. Taking the above together, the public benefits I have outlined above would not justify allowing works and development that would fail to preserve the special interest of the listed building. Therefore, in accordance with paragraphs 193, 194 and 196 of the Framework, considered together, I conclude that the public benefits do not outweigh the great weight to be given to the less than substantial harm that I have identified.
21. In light of all of the above, I conclude that, on balance, the proposals would fail to preserve the special historic interest of the Grade II listed building. Hence, the proposals would fail to satisfy the requirements of the Act, paragraphs 192, 193, 194 and 196 of the Framework and conflict with Policy ENV2 of the Uttlesford Local Plan (Adopted January 2005), which requires that development affecting a listed building should be in keeping with its scale, character and surroundings.

Other Matters

22. The appeal property is near to The Forge Cottage, Post Office and Store (now The Old Bakery) and Rose Cottage, all of which are designated as Grade II listed buildings. I have therefore had regard to the statutory duty referred to in the Act. However, given the proximity and physical relationship of the proposal with these designated assets, their settings would be preserved and the proposal would not detract from them.

Conclusion

23. For the reasons given above I conclude that both appeals should be dismissed.

Paul Thompson

INSPECTOR