
Appeal Decisions

Site visit made on 24 March 2021

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2021

Appeal A: APP/C1570/D/20/3262028

Glebe Barn, Little Bardfield Road, Little Bardfield CM7 4TW

- 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 S Kershaw against the decision of Uttlesford District Council.
 - The application Ref: UTT/20/1792/HHF, dated 20 July 2020, was refused by notice dated 10 September 2020.
 - The development proposed is a porch.
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Appeal B: APP/C1570/Y/20/3261940

Glebe Barn, Little Bardfield Road, Little Bardfield CM7 4TW

- 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 S Kershaw against the decision of Uttlesford District Council.
 - The application Ref: UTT/20/1717/LB, dated 14 July 2020, was refused by notice dated 11 September 2020.
 - The work proposed is a porch.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matter

3. As the proposals relate to a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). In addition, when considering whether to grant listed building consent I have had special regard to the provisions of section 16(2) of the Act.

Main Issues

4. With respect to both appeals the main issue is whether the proposal would preserve a Grade II listed building, Glebe Barn, and any of the features of special architectural or historic interest that it possesses. With respect to Appeal A an additional main issue is whether there is sufficient information to determine the effect on European Protected Species (bats).

Reasons

5. The appeal building is a detached Grade II listed building, which was listed in July 1985. It comprises a former seventeenth or eighteenth century timber framed barn with weatherboard and some plaster with a thatched roof. The building has a number of later additions and features three bays and a gabled midstrey. The adjoining buildings are finished in weatherboarding with render under a slate and pantile roofs. It is my understanding that the building along with associated attached buildings were converted to residential use around 2002.
6. The proposal is for a pitched roof porch adjacent to the entrance door to the property which is situated on the front elevation of the single storey part of the former barn. The porch would be supported by oak posts off a brick plinth and constructed with weatherboard and render external walls with oak beam plinth, a clay pantile roof and timber framed windows and door. The proposed pitched roof would adjoin the existing rendered external wall and a lead gutter would provide for the discharge of water from the roof.

Listed Building

7. Although the barn has been converted and altered in the past it has retained its simple form, footprint and design and its important defining character as an ancillary and utilitarian building which is set within its agricultural context. This is where its significance lies. Although I can see that the proposed porch incorporates materials and features that are sensitive to the host building, it would nevertheless be an overly domestic addition to the building which would be at odds with its simple form and footprint. In addition, the proposed scale of the porch and its relatively tall and deep roof design would obscure an existing opening. Consequently, the proposal would compromise the historical and architectural significance of the simple former ancillary agricultural building set within rural surroundings.
8. Paragraph 193 of the Framework advises that when considering the impact on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. In terms of the Framework, given the disruption to the simple form of the building and the overly domestic character and appearance of the proposed porch, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
9. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The proposal would improve the living accommodation and provide visitors with some cover during inclement weather, but those are very limited public benefits.
10. I have taken account of the appellant's comments with respect to the limited visibility of the proposal from the adjacent public highway, but that does not affect my assessment of the effect on the listed building.
11. Given the above and in the absence of any significant public benefit, I conclude that, the proposal would fail to preserve the special historic interest of the Grade II listed building, Glebe Barn, and any of the features of special

architectural or historic interest that it possesses. As such, it does not satisfy the requirements of the Act, paragraph 192 of the Framework and conflicts with Policies ENV2, GEN2 and H8 of the Uttlesford Local Plan Adopted 20 January 2005 (the LP), which relate to design quality, home extensions and development affecting a listed building should be in keeping with its scale, character and surroundings. The Council has also identified Supplementary Planning Document – Home Extensions Adopted November 2005 (SPD) in its reasons for refusing planning permission, but I have noted that the guidance does not apply to listed buildings.

Protected Species

12. The appellant states that the property is an occupied residential dwelling with there being no evidence that it may be suitable for bats or other protected species. It is also argued that any concerns could be overcome by either a site investigation and/or a suitably worded planning condition. However, Policy GEN7 of the LP seeks to ensure that development does not harm wildlife and protected species.
13. A biodiversity questionnaire was submitted with the original application which indicates that additional assessment is required in order to identify the bat roost potential of the building and to allow a full assessment to be made of the potential impact of the proposal. In the absence of a more detailed assessment it is not possible at this stage to identify the extent to which protected species may be affected by the proposal. Although further investigations may establish that the development does not affect protected species, such a conclusion cannot yet be made. Furthermore, it is not suitable to impose a planning condition on a permission since at this stage it is premature to determine whether such a condition and associated measures can mitigate any potential harm to protected species. Therefore, the proposal fails to accord with the requirements of Policy GEN7 of the LP.

Conclusion

14. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

A A Phillips

INSPECTOR