

Appeal Decision

Site visit made on 1 November 2021

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2021

Appeal Ref: APP/C1570/W/21/3278258

Abbey Cottage, Duton Hill, Tilty CM6 2DX

- 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 J Page against the decision of Uttlesford District Council.
 - The application Ref UTT/21/0987/HHF, dated 22 March 2021, was refused by notice dated 12 May 2021.
 - The development proposed is a cart lodge and home office space.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the grade II listed Abbey Cottage.

Reasons

3. The proposal, although reduced in size from a previous application, would nevertheless result in a large outbuilding to the side of the grade II listed Abbey Cottage. It is shown to accommodate a double garage, home office and gym. The Abbey Cottage listing describes the dwelling as being a sixteenth century two storey house with an exposed timber frame to the front elevation. This semi-detached house is an imposing feature within the village given its raised position and distinctive appearance. The proposal would remove existing dilapidated timber outbuildings. There is no dispute that the removal of these outbuildings would be a benefit.
 4. The proposed building would be of a significant size and its position, raised above the level of the road, would increase its prominence. Furthermore, it is proposed to be set with a similar frontage position to the main house and would have only a very limited separation from it. To some extent, it would be viewed against the backdrop of the neighbouring, relatively modern property when approaching up the hill from the west. When approaching from the east, the proposed building and the main house would be screened to some extent by the high boundary hedge. However, when close to the property, the two buildings would be very closely associated and viewed together.
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5. The existing outbuildings are of a low height and have only a limited impact on the experience of viewing the property. The separation distance to the dwelling further reduces their impact. The size and proximity of the proposed building to the listed cottage will ensure that it will be a prominent new feature. This prominence will be increased due to its position on a similar building line. Although the materials proposed would be of a high quality and its design would not be objectionable in itself, it would compete with the appearance of the main building and it would reduce the openness of its setting, which adds to the significance of this building within the street scene. It would detract from both the significance of the building and its appearance when viewed from the street. It would result in harm to the significance of the listed building and it would detract from the character and appearance of the dwelling and the immediate area.
6. The proposal has failed to take account of the desirability of sustaining and enhancing the significance of this heritage asset or of making a positive contribution to local character or distinctiveness. The National Planning Policy Framework (the Framework) requires that any harm should have a clear and convincing justification. The harm to the heritage asset would be less than substantial as defined by the Framework. The harm should be weighed against the public benefits of the proposal.
7. With regard to public benefits, it would provide some economic benefits from its construction. The benefits of removing the dilapidated buildings would be outweighed by the harm caused by the proposed building. There may be some benefits from providing improved accommodation which may encourage less travel. Reference has been made to other outbuildings within the area but I am not satisfied that any of these examples are directly comparable or provide weight in favour of this proposal. Overall, the public benefits are not sufficient to outweigh the harm that would result.
8. In addition to the harm to the significance and setting of the listed building, the proposal would detract from the character of the area more generally. Given the scale of the property and its curtilage, there is no justification for the prominence of the proposed structure and it therefore represents poor design in this context. It would conflict with the Uttlesford Local Plan 2005 Policy ENV2 as it would not be in keeping with the scale, character and surroundings of the listed building; and Policy GEN2 as it would not be compatible with the scale, form, layout and appearance of the area. As the works also conflict with the design and heritage requirements of the Framework, I dismiss the appeal.

Peter Eggleton

INSPECTOR