



Appeal Decision

Site visit made on 4 January 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2022

Appeal Ref: APP/C1570/Y/21/3270814

Freemans Farm, Bardfield End Green, Thaxted, Essex CM6 3PY

- 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 Mr & Mrs Mark and Nicola Rayward-Smith against the decision of Uttlesford District Council.
 - The application Ref UTT/20/2720/LB, dated 21 October 2020, was refused by notice dated 21 December 2020.
 - The works proposed are described as 'Demolition of the conservatory built in the late 1980s. Single storey garden room extension to replace the conservatory.'
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Decision

1. The appeal is allowed, and listed building consent is granted for the demolition of the existing conservatory built in the late 1980s and the erection of a replacement single storey garden room extension at Freemans Farm, Bardfield End Green, Thaxted, Essex CM6 3PY, in accordance with the terms of the application, Ref: UTT/20/2720/LB, dated 21 October 2020 and the plans submitted with it, and subject to the following conditions.
 - 1) The works to which this consent relates shall be began before the expiration of 3 years from the date of this decision.
 - 2) Notwithstanding the submitted details, no works shall commence until details of all new internal and external joinery (including the proposed finish and decoration to be used) has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.
 - 3) Notwithstanding the submitted details, no works shall commence until details of all new internal and external surface and finishing materials including walls, ceilings, roof and floors has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Preliminary Matters and Main Issue

2. The application submitted to the Council was made on a form that relates to both planning permission and listed building consent. However, the appeal before me only relates to listed building consent. I have therefore proceeded on this basis. The main issue in this appeal is whether the proposal would preserve the Grade II listed building known as Freemans Farm¹ or any features of special architectural or historic interest that it possesses.

¹ Listed as Freemans Farmhouse

Reasons

3. Freemans Farm was listed in 1983 and the list description suggests it is an early 19th Century domestic property. However, it is entirely plausible that the three-storey element to the rear dates from the 17th Century and the front section from 1750 as per the appellant's Heritage Statement. Regardless of its precise age, the main part of the building is a fine example of polite high status domestic architecture. This is particularly evident in the well balanced symmetrical front façade and the generous internal proportions. Detailing is generally simple and restrained and this highlights the fenestration.
4. The historic core of the building has remained well defined despite being extensively extended. A two-storey rear extension was added at some time in the second half of the 20th Century and off this a long single storey range has been constructed. In the 1980s a conservatory was also added. These additions are generally subservient and harmonious due to the use of matching materials and sympathetic detailing.
5. Given the above, the special interest of the listed building, in so far as it relates to this appeal, is primarily it being an impressive and well-preserved example of evolved domestic architecture. In this respect it tells us much about past building techniques, fashions, and lifestyles. It therefore has historic, aesthetic, and evidential value and this provides the building with significance.
6. The existing conservatory is a lightweight timber framed addition. The octagonal floor plan and aspects of the detailing provide a slightly fussy appearance that jars a little with the simplicity of the main house. That said, it is comparatively small and echoes a Victorian glass house aesthetic. As a result, it is not incongruous and therefore has a neutral impact on the significance of the listed building, which would not be harmed by its removal.
7. The proposed replacement garden room would have a more solid appearance than the existing conservatory due to the use, in part, of rendered panels and a slate roof. However, the existing building has solid walls and therefore this would not be out of character. The extension need not be legible as a lightweight structure to be harmonious. Notwithstanding this, the predominantly glazed walls would allow the extension to have something of a lightweight feel. Moreover, the pitch of the roof and use of slate would provide a sense of compatibility between old and new. The proposed addition would be larger than the existing conservatory but would be single storey, set in from the side elevation and pleasantly proportioned. It would therefore be subservient.
8. The addition would join the historic core of the building at the same point as the existing conservatory. Consequently, the more significant historic fabric and form would not be affected in a meaningful way and no features of interest would be obscured or lost. The opening into the back hall would be unaltered. The proposed extension would require some works to the rear mid-20th Century extension including the partial removal of the kitchen wall and the truncation of a first-floor window. Neither of these alterations would affect fabric of value or historic significance. Reducing the size of the window would be a compromise, but it would not harm the significance of the listed building in this instance because, unlike the front elevation, the window pattern and composition to the rear is not regimented.

9. The drawings indicate that the glazing in the garden room would be set between green oak studs. It is unclear whether the oak would be painted. Leaving it unpainted would jar with the finish of the joinery elsewhere on the building, which is exclusively painted. The Council have not overtly addressed this point but have suggested that a condition be imposed requiring details of the joinery finish to be submitted and approved. In their final comments the appellant's have indicated a preference to use painted timber. As such, a condition is necessary to clarify this and afford the Council a chance to review the proposed joinery details consider what would be appropriate.
10. I share the view of the Council that roof lights are overtly modern insertions and therefore need to be considered carefully. In this instance the roof lights would be contained within the roof of what would clearly be a modern addition that is discreetly positioned to the rear of the building. Moreover, the roof lights would not be superfluous given the lack of light in the back hall, and would be reasonably modest in size and divided by a glazing bar. On balance, the roof lights would have a neutral effect on the building's significance.
11. In conclusion, the proposal would preserve² the significance of the listed building. As a result, it would adhere to the expectations set out in s16(2)³ of The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act') and Paragraphs 189, 190, 195 and 197 National Planning Policy Framework.

Other Matters and Conditions

12. In its reason for refusal the Council has referred to Policy ENV2 of the Uttlesford Local Plan. Applications for listed building consent are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore development plan policies do not carry the same weight as when considering planning applications. Nevertheless, as I have found that the proposal would preserve the special interest and significance of the listed building, there would be no conflict with Policy ENV2, which seeks to secure proposals that protect the special characteristics of listed buildings.
13. I have had regard to the advice in the Planning Practice Guide and the conditions suggested by the Council. In addition to a standard commencement condition, it is necessary to impose a condition requiring finishing materials to be approved in the interests of safeguarding the listed building. I have already explained why a condition is necessary in respect of joinery details. It is unnecessary to impose a condition requiring the local planning authority to inspect and consent the cutting or removal of historic fabric. This is because no such works are proposed and would therefore likely require listed building consent in their own right.

Conclusion

14. For the reasons given, the appeal is allowed.

Graham Chamberlain
INSPECTOR

² Preserve in this context means to do no harm.

³ The Council has also referred to s66(1) of the Act in its reason for refusal, but this is only relevant in respect of planning applications.