

Appeal Decision

Site visit made on 11 February 2021

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State.

Decision date: 18th March 2022

Appeal Ref: APP/C1570/W/21/3280447

Wigmores Farm, Henham Road, Saffron Walden CB11 3LX

- 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 Venneear against the decision of Uttlesford District Council.
 - The application Ref UTT/21/1048/FUL, dated 25 March 2021, was refused by notice dated 1 July 2021.
 - The development proposed is the erection of two detached dwellings with associated detached garages.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposed development would preserve the setting of the adjoining listed building and (ii) the effect of the development upon the character and appearance of the area.

Reasons

Setting of the listed building

3. The proposed development would be on a relatively flat area of land immediately to the west of the access road leading to Wigmores Farm. There is a mature line of tall trees dividing the area from the access road. Access into the site would be off the access lane.
4. The proposed dwellings would be sited in what the local planning authority (LPA) describes as the setting of the grade II listed building (LB), Wigmores Farm and the historic farmstead. The listing describes the LB as dating from the seventeenth century with eighteenth century additions and being timber framed, with lath and plaster and with a thatched half hipped roof.
5. The appeal site is an open area of land which, by its rural and verdant appearance, positively adds to the setting of the LB by its approach to it. This is not significantly diminished by the line of mature trees along the access road which do not prevent views of the site through it especially in the winter months.

6. In my assessment of the effect of the proposed development upon the setting of the LB, I have considered the extant outline planning approval for two dwellings (with all matters reserved for subsequent approval) granted with conditions on 27 March 2019¹. However, while the principle of residential development on the site has been established, this does not negate the need for an assessment of the design and siting of the proposed two dwellings for this full application upon the setting of the LB.
7. The LB is a simple, small-scale building sited at the head of the access road amongst a cluster of other buildings. While the proposed two dwellings would be accessed from the same road, they would be set back from it with their own subsidiary access.
8. The proposed dwellings are large in terms of their footprints, height and massing when compared to the LB and with their proposed gabled frontages and dormers they introduce an urban, dominant form of development which would adversely affect the setting of the LB with its more simple and rural form.
9. I have taken into account not only the extant outline approval but also the reference to the lack of a 5-year supply of housing land, and while these matters weigh in favour of the proposal, they are insufficient to overcome the '*less than substantial harm to the significance of a designated heritage asset*' as described in paragraph 202 of the National Planning policy Framework 2021 (the Framework) and where, in such circumstances, '*the harm should be weighed against the public benefits of the proposal*'. When considering the extant outline consent, I consider that the benefits of two additional houses could be met by a different design solution, but that in this case, there are no identified public benefits which would outweigh the less than substantial harm.
10. Therefore, I conclude that the development would not preserve the setting of the LB and hence there would be conflict with the conservation requirements of policy ENV2 of the Uttlesford Local Plan 2005 (ULP) and with chapter 16 of the Framework, both of which aim to protect the historic environment including the setting of listed buildings.

Character and appearance

11. The appeal site, as previously described, is a relatively flat field to the western side of the access lane leading to Wigmores Farm and which gives an open feel to the approach to the relatively tight cluster of buildings with their rural appearance.
12. The design of the proposed dwellings, by their gabled frontages, dormers, size and overall appearance would introduce an urban element into the rural area, causing harm to its rural character and appearance.
13. Therefore, I conclude that the proposal would conflict with the aims of policy S7 of the ULP, the design elements of the Essex Design Guide 2018, and Chapter

¹ UTT/19/0245/OP

12 of the Framework, all of which aim to promote good design in keeping with the character and appearance of the area in which it is to be located.

Conclusion

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

Steven Hartley

INSPECTOR