



Appeal Decision

Site visit made on 8 March 2022

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29TH April 2022

Appeal A Ref: APP/C1570/W/21/3282112

Drivers End, 16 Farnham Green, Farnham, Bishop's Stortford, Herts CM23 1HN

- 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 Robert Hitchman against the decision of Uttlesford District Council.
 - The application Ref UTT/21/1100/HHF, dated 26 March 2021, was refused by notice dated 28 May 2021.
 - The development proposed is replacement of existing conservatory with new garden room.
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Appeal B Ref: APP/C1570/Y/21/3282538

Drivers End, 16 Farnham Green, Farnham, Bishop's Stortford, Herts CM23 1HN

- 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 Robert Hitchman against the decision of Uttlesford District Council.
 - The application Ref UTT/21/1166/LB, dated 26 March 2021, was refused by notice dated 28 May 2021.
 - The works proposed are replacement of existing conservatory with garden room.
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Decisions

Appeal A - APP/C1570/W/21/3282112

1. The appeal is allowed and planning permission is granted for replacement of existing conservatory with new garden room at Drivers End, 16 Farnham Green, Farnham, Bishop's Stortford in accordance with the terms of the application Ref UTT/21/1100/HHF, dated 26 March 2021, subject to the conditions set out in the schedule attached to this decision.

Appeal B - APP/C1570/Y/21/3282538

2. The appeal is allowed and listed building consent is granted for replacement of existing conservatory with new garden room at Drivers End, 16 Farnham Green, Farnham, Bishop's Stortford, Herts CM23 1HN in accordance with the terms of the application Ref UTT/21/1166/LB, dated 26 March 2021, subject to the condition set out in the schedule attached to this decision.

Procedural Matters

3. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning except where indicated otherwise.
4. Amended plans were submitted with the appeals. However, in the interests of fairness I have determined the appeals on the basis of the plans which the Council made its decision on which are clearly referenced on both decision notices as Drawing No 2475/1/2 A which is dated March 21.

Main Issue

5. The main issue in both appeals is whether the proposed development/works would preserve the grade II listed Drivers End 16 & 17 Farnham Green or its setting and any features of special architectural or historic interest that it possesses.

Significance

6. The appeal property is a large detached grade II listed dwelling which was originally a range of cottages (Drivers End). It is of C17/C18 origin, one storey with attic rooms, timber-framed, with a thatched roof and plastered external walls. Insofar as is relevant to these appeals, I find the significance of the listed building derives from its traditional architectural detailing and its relationship with the surrounding rural agricultural landscape.

Effects on the grade II listed Drivers End

7. The proposal would replace a modern single storey timber framed polycarbonate roofed extension which has an overall unsympathetic and degraded appearance. It has no features of architectural or historical interest and the works associated with the removal of the existing structure would not involve damage to, or loss of any historic fabric associated with the listed building.
8. I acknowledge the appeal property has already been extended with a number of unsympathetic extensions. I also note that the proposed tiled hipped roof would not reflect the traditional thatch or other traditional architectural features of the listed building.
9. However, the proposed extension although larger than the extension it would replace would be relatively modest and roughly in-line with an existing single storey rear projection. It would be attached to the listed building by two glazed links, making it appear very much as a separate new modern addition.
10. The proposed roof would have a low ridge, leaving space between the thatch roof and would be finished in tiles matching the existing modern extensions. Furthermore, the proposed glazing would not appear out of place when viewed against the existing varied ground floor window and door arrangement and the proposal would be sympathetically fixed to the listed building in the same place as the existing extension to be removed.
11. Thus, taking into account the extension which would be replaced by the appeal scheme, I find the effect on the significance of the heritage asset would be

neutral. Therefore, overall, I find the setting and features of special architectural or historic interest of the listed building and its overall significance would be preserved.

12. The scheme would therefore accord with the statutory provisions and the National Planning Policy Framework (paragraph 199) and there would be no conflict with either Policy GEN2, Policy ENV2 or Policy H8 of the Uttlesford Local Plan (2005) which taken together seek to ensure proposals involving extensions to listed buildings are in keeping with its scale and character and preserve its special characteristics and good design generally. For the same reasons, there would be no conflict with the Essex Design Guide.

Conditions

13. The conditions imposed for both appeals are those which have been suggested by the Council, adjusted in the interests of precision and in accordance with the advice on imposing conditions in the Planning Practice Guidance.
14. As suggested by the Council, I have imposed conditions on appeal decision A which specify the relevant time limit and relevant drawings as this provides certainty. However, it is not necessary to repeat these conditions on appeal decision B as both decisions can only be implemented together. Furthermore, I have also imposed the suggested conditions on appeal decision A which require biodiversity enhancements and survey and mitigation associated with great crested newts as a precaution because the scheme would be within and close to a number of locations which are designated as local or county wildlife sites.
15. Finally, to ensure the scheme preserves the heritage asset I have imposed conditions on appeal decision B which requires samples of materials to be agreed and additional drawings showing details of the proposed windows, doors, eaves, verges and sills to be submitted and implemented as agreed. However, I have adjusted the suggested conditions to allow works to commence in the interests of efficient construction.

Conclusion

16. For the reasons given and taking into account all other matters raised, I conclude that both appeals should be allowed.

L Fleming

INSPECTOR

Appeal A – SCHEDULE

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 2475/1/2 A dated March 21
- 3) Prior to commencement of the development hereby approved, a Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts during the construction phase. Thereafter, the measures and/or works shall be carried out strictly in accordance with the approved details and shall be maintained as such in perpetuity.
- 4) Prior to slab level, a Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) timetable for implementation; e) persons responsible for implementing the enhancement measures; f) details of initial aftercare and long-term maintenance (where relevant). Thereafter, the works shall be implemented in accordance with the approved details and shall be retained in that manner in perpetuity.

Appeal B - SCHEDULE

- 1) Prior to slab level, samples and/or photographs of the materials to be used in the external finishes shall be submitted to and approved in writing by the local planning authority. Thereafter, the works shall be implemented strictly in accordance with the approved materials and shall be maintained as such in perpetuity.
- 2) Prior to slab level, additional drawings that show details of the approved new windows, doors, eaves, verges and sills to be used by section and elevation between 1:20 and 1:1 (as appropriate) shall be submitted to and approved in writing by the local planning authority. Thereafter, the works shall be constructed in accordance with the approved details and shall be maintained as such in perpetuity.

END