



Appeal Decisions

Site visit made on 14 June 2022

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 28th June 2022

Appeal A: APP/C1570/W/21/3286862

4 Battles Hall Barns, Maggots End Road, Manuden CM23 1BJ

- 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 Duncan Chalk against the decision of Uttlesford District Council.
 - The application Ref UTT/21/2592/HHF, dated 10 August 2021, was refused by notice dated 6 October 2021.
 - The development proposed is replacement patio door.
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Appeal B: APP/C1570/Y/21/3284558

4 Battles Hall Barns, Maggots End Road, Manuden CM23 1BJ

- 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 Duncan Chalk against the decision of Uttlesford District Council.
 - The application Ref UTT/21/2593/LB, dated 10 August 2021, was refused by notice dated 6 October 2021.
 - The works proposed is replacement patio door.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. Although the description set out in the application form and appeal form refer to a window, from the evidence and my observations during the site visit, the proposal relates to a patio door. Therefore, I have used the description from the decision notice in the headers above, omitting the reference to the address, in the interests of clarity.
3. As the proposal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is whether the proposal would preserve a Grade II listed building, 'Battles Hall' (Ref: 1276720) and any of the features of special architectural or historic interest that it possesses.

Reasons

5. The principal building, Battles Hall, is a partly moated timber-framed building that the list description dates to around 1660. It is part of a former farmstead that includes the appeal building (The Longhouse) which is one of a series of agricultural barns arranged around a courtyard immediately to the north of the hall. Whilst these have since been converted to residential use, their rectilinear form, scale, materials and fenestration are such that they retain their agricultural character and legibility as part of the wider farmstead that was once associated with the hall which was the medieval seat of the Waad family. As such, they have historic and evidential value because they illustrate past patterns of use and attest to the wealth that enabled the brick re-fronting of the ground floor of the hall in the 17th century.
6. Consequently, the special interest of the listed building, insofar as it relates to these appeals, is associated with the simple, agrarian form and character of the former barns and their ancillary, visual relationship to the principal building.
7. I note the Appellant's assertion that the former derelict farm out buildings on the site were demolished and rebuilt in 2012. However, there is no evidence to substantiate this, and the planning history of the site indicates that the barns were converted to five dwellings. I have therefore assessed the appeals on this basis.
8. The appeal building has a simple rectangular form and pitched roof. The building also generally has narrow window and door openings and large extent of timber cladding particularly on the east elevation which faces the countryside. These features reflect the historic agricultural use of the building and clearly contribute to the special interest of Battles Hall.
9. The proposal to enlarge the existing patio door would result in an opening of more than twice the width as existing. This would increase the extent of glazing on the elevation, reduce the extent of timber cladding and therefore diminish the agricultural character of the building. As such, while I note the proposed materials and finish of the door, and notwithstanding the presence of domestic residential trappings, the proposal would nevertheless harm the special interest through the creation of a new, incongruent opening that would lead to an inauthentic expression of its past function and use.
10. The appellant has suggested that the proposal would not harm Battles Hall because it would not be visible from the principal building. However, the special interest of Battles Hall lies, in part, in the legibility of its historic farmstead. As such, the adverse effect of the proposal on the appeal building would diminish the special interest of the hall.
11. I note the listed building consent and planning permission for the enlargement of a window on the southern end of the same elevation. However, the cumulative effect of the proposed enlarged door together with the permitted enlarged window would amount to a substantial reduction in the agricultural character of the dwelling, compared with the permitted window alone. As such, this point has not altered my finding on this main issue.
12. Given the above, I find that the proposal would fail to preserve the special interest of the listed building.

13. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the limited scale of the works, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
14. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant is of the opinion that the proposal would be beneficial as it would provide more light to the internal space and enable easier access to the rear of the property. However, these are private benefits. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
15. Given the above and in the absence of any public benefit, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed Battles Hall. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with Policy ENV2 of the Uttlesford Local Plan Adopted 20 January 2005 that resists, among other things, proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building. As a result, the proposal would not be in accordance with the development plan.

Other Matters

16. I note the evidence regarding a solar farm some distance from Battles Hall. However, given the differing nature of the solar farm compared with the proposal, it is not directly comparable to this scheme. I also acknowledge that listed building consent and planning permission for a pair of roof lights was consented at appeal. In that case, the Inspector considered that the roof lights' vertical proportions would create a slim, vertically proportioned injection into the roof slope which would be otherwise uninterrupted. However, since the proposal subject of this appeal relates to a door of more square proportions that would amount to a substantial reduction in the agricultural character of the dwelling, it is not directly comparable with that scheme.
17. I also acknowledge local support for the proposal and lack of overlooking issues. However, these matters do not override the harm identified and have not altered my overall decision.

Conclusion

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

R.Sabu

INSPECTOR