
Appeal Decisions

Site visit made on 17 May 2022

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2022

Appeal A Ref: APP/C1570/W/21/3280665

1 Bassingbourne Lodge, The Street, Takeley, CM22 6LY

- 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 Justin Topsom against the decision of Uttlesford District Council.
- The application Ref UTT/21/0874/HHF, dated 12 March 2021, was refused by notice dated 18 May 2021.
- The development proposed is the demolition of a detached double garage. Construction of single storey side extension. Internal alterations.

Appeal B Ref: APP/C1570/Y/21/3280664

1 Bassingbourne Lodge, The Street, Takeley, CM22 6LY

- The appeal is made under section 20 of Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Justin Topsom against the decision of Uttlesford District Council.
- The application Ref UTT/21/0875/LB, dated 12 March 2021, was refused by notice dated 18 May 2021.
- The works proposed are the demolition of a detached double garage. Construction of single storey side extension. Internal alterations.

Decision

1. Appeal A is dismissed. Appeal B is dismissed.

Procedural Matters

2. These decisions address both planning and listed building consent appeals for the same site and the same scheme. Although the remit of each regime is different, I have dealt with both appeals together to reduce repetition and for the avoidance of doubt, except where otherwise indicated.

Main Issue – both appeals

3. The main issue is whether the development and works would preserve the Grade II listed building, known as Bassingbourne Lodge, or any features of special architectural or historic interest it possesses.

Reasons

4. The appeals relate to 1 Bassingbourne Lodge (No 1). No 1 is part of a Grade II listed building known as Bassingbourne Lodge that includes a pair of gate lodges (Nos 1 and 2 Takeley Street) which marked the southern entrance to the now demolished Bassingbourne Hall. The statutory list entry (List Entry;

1322593) jointly identifies the lodges as early 19th century constructed in stuccoed brick with grey slate hipped roofs and two-storey with one window range. Both have semi-circular arches with pilasters, which are prominent features on the frontage and opposing flank elevations, either side of a drive, and dentilled roof eaves. Both were built to match each other providing a grand entrance to the Hall.

5. From the evidence before me, the special interest and significance of the listed building is largely derived from the lodges' historic two-storey rectangular plan form, their architectural features and detailing, and their consciously designed symmetry as an architectural set-piece associated with the Hall. Whilst in the past both lodges have been extended, altered and/or development built within their setting, including a detached double garage to the side of No 1, these accretions are smaller in scale and subservient in appearance. As such, the intrinsic heritage merit of the listed building is still legible.
6. The proposal would demolish the existing double garage, utilising its footprint, and would replace it with a flank single storey extension. The extension would have a hipped pitched roof and would have a central flat-roofed link to an existing rear extension, that has a sloping hipped pitched roof. On the frontage, the garage's door would be replaced with an elevation of two matching windows. The new extension would be set back from the frontage of the gate lodge and would be constructed with rendered finish and slate tiles.
7. However, the bulk of the extension, including the link, would be far greater than that of the garage and existing extensions. It would project much further forward than the existing garage, closer to the gate lodge's front elevation. The main rendered part of the extension would have a width roughly equal to the frontage and would be sited further forward than the existing garage, roughly half-way up the flank of the historic core of the listed building. It would cover a substantial footprint greater than that of the original gate lodge. The flat-roofed link would do little to lessen the bulk of the main part of the extension because the new extension would be so great in size and coverage. As a result, the extension would significantly detract from the architectural features and qualities of No 1, its historic plan form, and symmetry with No 2. Consequently, it would harm the heritage merit of the listed building as a whole.
8. A substantial hedge exists in front of the gate lodge at No 1 and therefore, there would be limited public views of the extended gate lodge. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained. In any case, over time, vegetation may be removed for any number of reasons, such as weather or accidental damage, and replacement planting inevitably takes time to establish.
9. There would also be replacement of existing french doors and window on the north wall of the previous extension with wider glazed screens. Although the rear is a less sensitive elevation, the size of these openings would dominate the stuccoed/rendered appearance of the rear of the gate lodge building. Internal alterations would comprise the acceptable removal of stud partitions to one of the existing extensions. Nevertheless, there would be significant detriment to the architectural and historical significance and interest of the listed building,

due to the bulk of the extension and the extent of the rear openings, for the reasons indicated.

10. Previously, listed building consent and planning permission was granted for single storey extension in 2016. The officer's planning permission report concluded that the extension would be subservient and sympathetic to the original building and both local and national heritage policies have not changed markedly since 2016. To the rear, the depth of the extension has not increased by a great amount but the appeal scheme taken as a whole would be larger. In this regard, there would be a noticeable increase in extension bulk here taking into account its width and height, and projection beyond the existing extended building. This would result in departure from the historic plan form and symmetry of the listed building. Consequently, the proposed extension would fail to preserve the listed building in conflict with s66(1) and s16(2) of the Act, based on the evidence before me.
11. Furthermore, the weight to the previous permission and consent would be limited because development and works are required to commence before the end of August 2019. Although this has reportedly taken place, the detailed evidence necessary to establish the lawful commencement is not before me. The officer's planning report on the 2016 scheme concluded the extension would be subservient and sympathetic to the original building and yet concluded less than substantial harm to the fabric or the significance of the existing listed building. Under the National Planning Policy Framework (the Framework), the finding of less than substantial harm follows an assessment of the significance of the heritage asset and impact. The report inconsistency further weakens the weight to be given to the 2016 permission and consent.
12. In conclusion, the special interest of No 1 and the significance of Bassingbourne Lodge would be adversely affected for all these reasons. Given the localised extent of the development and works, the degree of harm to the significance of the listed building, as a designated heritage asset, would be less than substantial in terms of the Framework. Nevertheless, this type of harm would be of considerable importance and weight. In accordance with paragraph 202 of the Framework, the harm should be weighed against the public benefits of the proposed development, including securing the optimum viable use.

Heritage and planning balance

13. The plans show the significant upgrading of existing accommodation, including additional bedroom provision. However, the proposed extension would be largely satisfying the private wants and needs of the appellant, which are not public benefits. The appeal site has use as a residence and one in what appeared to be in sound overall condition and at no obvious risk. The proposal would realise some investment into the fabric of the listed building, which would be a public benefit. Cumulatively, the sum of public benefits would be modest and attract moderate weight in favour of the proposal.
14. The proposed development and works would not preserve the Grade II listed building, known as Bassingbourne Lodge, or any features of special architectural or historic interest it possesses. This would fail to meet the requirements of s66(1) and s16(2) of the Act. The modest public benefits, which would accrue from the proposal, are not sufficient to outweigh the less than substantial harm identified and the considerable importance and weight

this carries. Conflict, therefore, arises with the historic environment protection policies of the Framework.

15. The development would result in conflict with heritage Policy ENV2 of the Uttlesford Local Plan (2005), which states development affecting a listed building should be in keeping with its scale, character and surroundings, and not impair its special characteristics. There would be conflict with the development plan taken as a whole. No material considerations indicate that the planning appeal be determined other than in accordance with the development plan.

Conclusion

16. For all these reasons given above and having regard to all other matters raised, I conclude that Appeals A and B should be dismissed.

Jonathon Parsons

INSPECTOR