
Appeal Decision

Site visit made on 6 September 2022 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

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

an Inspector appointed by the Secretary of State

Decision date: 4th October 2022

Appeal Ref: APP/J1915/D/21/3289274

Tharbies Farmhouse, Rook End, High Wych CM21 0LL

- 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 J Bayley against the decision of East Herts Council.
 - The application Ref 3/21/1412/HH, dated 26 May 2021, was refused by notice dated 21 October 2021.
 - The development proposed is erection of a detached outbuilding comprising home office, secure garage and gym.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The appeal site is located within a Green Belt. The Council in assessing the proposed development have concluded that the outbuilding would not result in a disproportionate addition over and above the size of the original building and therefore falls within the exception stated in Paragraph 149 (c) of the National Planning Policy Framework (Framework) of development which are not inappropriate in the Green Belt. I find no reason to disagree given the scale of the proposal.
4. As the proposal relates to the setting of listed buildings, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is whether the proposed development would preserve the setting of Tharbies Farmhouse (a Grade II listed building).

Reasons for the Recommendation

6. Tharbies Farmhouse is located at Rook End to the north of the village of High Wych, in an area of open fields and farmland with mature hedges. Its significance, insofar as it relates to this appeal, lies in the evidence of a

prominent historic farmhouse. I note that historic farm dwellings have a variety of settings, and that the enclosure of courtyards may be common. However, the area to the south of the farmhouse is largely devoid of built development. As such, the site and surrounding area has a spacious, verdant and rural character which contributes positively to the rural setting and significance of the listed building.

7. I note that the proposed outbuilding would be subordinate in scale to Tharbies Farmhouse and acknowledge the difference in ground levels. However, given the steep pitch of the main part of the proposed building, together with the dormer windows, the building would have a two-storey appearance that would detract from the prominence of the farmhouse.
8. Furthermore, the proposal would be sited forward of the principal elevation of Tharbies Farmhouse. While I note the evidence regarding enclosure, there is little evidence that a building in this location formed part of the historic layout of the former farmstead. Therefore, the scale, form and siting of the structure would erode the spacious rural setting of the listed building and harmfully diminish its prominence.
9. I also acknowledge the Paul Kick drawing and historic Ordnance Survey map which shows a building to the south of Tharbies Farmhouse. However, that building appears to have been sited some distance from the appeal proposal such that the two are not directly comparable.
10. Consequently, the proposal would fail to preserve the setting of Tharbies Farmhouse and would cause harm to its significance as a result.
11. Paragraph 199 of 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. Given the limited scale of the development, the harm would be less than substantial in the terms of paragraph 202 of the Framework. Where less than substantial harm is identified, the Framework requires that harm to be balanced against any public benefits of the proposal.
12. The appellant has not put forward any public benefits that would outweigh the substantial weight attached to the harm to the setting and significance of the Grade II listed Tharbies Farmhouse.
13. Therefore, the proposal would conflict with the objectives of Policies DES4, HA1 and HA7 of the East Herts District Plan October 2018 which seek, among other things, development proposals that preserve and where appropriate enhance the historic environment of East Herts and proposals that preserve the setting of listed buildings.

Other Matter

14. I note concerns regarding the service provided by the Council. However, I have necessarily assessed the appeal based on its planning merits.

Conclusion and Recommendation

15. For the reasons given above, the proposal would fail to preserve the setting of the listed building and would cause harm to the significance of the designated asset as a result. It would therefore be contrary to the development plan as a

whole. That harm is a matter that attracts considerable weight and no public benefits have been identified that would outweigh the harm. Consequently, having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

R Sabu

INSPECTOR