



Appeal Decision

Site visit made on 3 April 2024

by John Felgate BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2024

Appeal Ref: APP/C1570/D/23/3330407

Yew Tree Farm, Ford End Road, Ford End, Clavering, Essex CB11 4PU

- 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 Jack Nethercott against the decision of Uttlesford District Council.
 - The application Ref UTT/23/1294/HHF, dated 19 May 2023, was refused by notice dated 18 July 2023.
 - The development proposed is erection of oak framed outbuilding comprising of home office, gym and entertainment space.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an oak framed outbuilding comprising of home office, gym and entertainment space, at Yew Tree Farm, Ford End Road, Ford End, Clavering, Essex CB11 4PU, in accordance with the application Ref UTT/23/1294/HHF, dated 19 May 2023, subject to the following conditions:
 - 1) The development shall be commenced not later than 3 years from the date of this decision.
 - 2) The development shall be carried out in accordance with the approved plans, numbered 88340/03 and 88340/04.

Reasons

2. On my visit, I saw that The hamlet of Ford End comprises a small cluster of farmsteads, individual houses and related outbuildings, surrounded by mainly arable farmland, within an undulating landscape. Ford End Road is a narrow rural lane, ending at Yew Tree Farm. Yew Tree Farmhouse is Grade-II listed, dating from the 16th century. Adjacent to the house is a range of older-style agricultural buildings, and just beyond these the present-day farmyard, with a number of larger, modern barns. Immediately to the rear of the house is the domestic garden, leading into a small paddock. Alongside is Cakebread's Lane, classified as a public bridleway, with the dwelling Cakebreads on its further side.
3. Yew Tree Farmhouse is an attractive, 2-storey building with exposed timber framing. The jettied upper storey is supported on exposed joists and decorative curved brackets. The tall pitched roof is clay tiled, and the large central chimney stack with diagonal shafts forms a visually interesting feature. Some of the windows and doors are modern replacements, and the rear wing is

a more recent addition. From the information available, it seems to me that the significance of the building as a heritage asset lies mainly in its evidential value regarding the building styles and techniques of the 16th century, and the lifestyles of those engaged in farming at that time.

4. The development now proposed would comprise a mainly timber structure of around 14m long by 6m wide. The structure would have an oak frame and oak joinery throughout, using traditional carpentry methods, including braced pegged jointing and exposed rafter feet. Externally the building would be clad in weatherboarding, with a roof covering of clay tiles. The new building would be located just beyond the domestic garden, on the edge of the rear paddock, at a distance of about 35m from the nearest part of the farmhouse. The sole main issue raised in the Council's reason for refusal is the effect on the setting of the listed building, and any consequent effects on that building's significance as a heritage asset.
5. I appreciate the Council's concern to ensure that the listed building and its setting are properly preserved. There is clear evidence that the area that is now the paddock, and which was once an orchard, has been functionally associated with Yew Tree Farm and the listed farmhouse for many years. It is not disputed that the paddock forms part of the setting of the listed building, and I see no reason to disagree. The development would therefore fall within that setting, and would result in some physical change within that area. However, it does not follow that any such change would automatically be harmful.
6. In the present case, the proposed new building would be modest in size, having a single storey, with a hipped and partially flat roof, low eaves and ridge lines, and a compact, rectangular floor plan. Consequently, whilst its footprint would be of some size, the overall scale and mass of the new building would be relatively small. As such, the new building would be clearly subservient to the main house, and to the other existing buildings on the site. Given the distance of the development from the listed building itself, it seems to me that any development of the scale now proposed would be likely to have at most only a limited impact.
7. Seen from Yew Tree Farmhouse, the new building would be set on slightly higher ground, but nevertheless would be largely screened, by an existing outbuilding, and by an intervening garden hedge. Public views would be possible from Cakebread's Lane, but would be heavily filtered by the boundary vegetation, and particularly so in summer. The new building would not be visible from Ford End Road. The only clear views of any kind would be purely private ones, from within the property's own domestic garden and paddock. No outward views towards open countryside would be affected, from any part of the site. I note the Council's contention that a lack of visibility does not necessarily mean a lack of harm. But nonetheless, in this case the site's limited visibility reinforces my view that the development's visual impact would be similarly limited.
8. In any event, in the present proposal, the new building would be of high quality and visually attractive, in both its design and construction. In particular it would have a pleasingly rustic character, due to its traditional materials and building methods, and due to its simplicity. Whilst some of the window and door openings would be relatively large, the oak framing around these would

soften their appearance. The small, open-sided porch, with its low canopied roof, would provide some articulation, but would otherwise be a minimal feature. No aspect of the design or detailing seems to me to be overtly domestic in style, nor is there anything about the design that could be described as visually assertive. The design would therefore be appropriate to the location, complementing the listed farmhouse, and the other existing buildings nearby. To my mind, the design is one that could sit comfortably alongside the listed building, without harm to its setting, irrespective of the extent to which the building would be visible.

9. In the circumstances, it is not necessary for me to consider whether the development would give rise to any public benefits, nor whether any other existing buildings on the site could have been used as an alternative. The benefit that the new accommodation would provide for the occupiers of the property adds some further modest weight in favour of the proposal, although in view of the above, this is not a decisive factor.
10. Having regard to all the above matters, and in particular the size and design of the proposed building, and its siting and visibility, I conclude that the development's overall effect on the setting of the listed Yew Tree Farmhouse would be neutral. The setting of the heritage asset would thus be unharmed, and its significance would be preserved. In this regard, the scheme would accord with Policy ENV2 of the Uttlesford Local Plan (the ULP), adopted in January 2005.

Other matters

11. The Council's refusal reason also cites ULP Policy S7 which seeks to protect the countryside, and Policy GEN2 which requires all developments to be well designed. However, in the present case the appeal proposal can only take place in the countryside, due to its function in providing ancillary accommodation for the occupiers of Yew Tree Farmhouse. The scheme is also appropriate to the rural area, and would protect the character of that area, by virtue of its design. It therefore complies with Policy S7. With regard to Policy GEN2, for the reasons already set out, I have found that the development would be compatible with the surrounding buildings, in terms of its scale, form, layout, appearance and materials. No other potential conflicts with Policy GEN2 have been identified. I am therefore satisfied that all of the relevant provisions of the policies in question would be met.

Conditions

12. I agree that a condition requiring adherence to the approved plans is necessary, in order to ensure certainty as to the scope of the permission.

Conclusion

13. For the reasons set out above, I have found that the proposed development would accord with the relevant policies of the development plan. No material considerations weighing against the development have been substantiated. The appeal is therefore allowed.

J Felgate

INSPECTOR