



Appeal Decisions

Site visit made on 23 April 2024

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2024

Appeal A: APP/C1570/W/24/3337397

Bulls Green Cottage, Clodmore Hill, Arkesden, Essex CB11 4HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Edwin and Sophie Bee against the decision of Uttlesford District Council.
- The application reference is UTT/23/2676/HHF.
- The development proposed is single storey rear extension.

Appeal B: APP/C1570/Y/24/3337402

Bulls Green Cottage, Clodmore Hill, Arkesden, Essex CB11 4HQ

- 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 and Mrs Edwin and Sophie Bee against the decision of Uttlesford District Council.
- The application reference is UTT/23/2677/LB.
- The works proposed are single storey rear extension.

Decisions

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

Preliminary Matters

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 the Grade II listed building, "Bulls Green Cottage" (Ref: 1322428) (the LB), and any of the features of special architectural or historic interest that it possesses.

Reasons

5. The LB was listed in 1980 and dates from the 18-19th centuries. The historic core of the cottage is timber framed and thatched, whilst a later extension (the extension), running north in line with the main axis of the building, has solid masonry walls and is covered in pantiles. This later addition was originally thatched, but this was replaced with the tiles at some time after the 1950s.

The historic core of the LB is a good example of a simple rustic dwelling, built using traditional building materials.

6. Given the above, I find the special interest of the building, insofar as it relates to these appeals, to be related to the example it provides of a modest rural dwelling constructed in the local vernacular tradition with traditional materials, which has evolved over time to fulfil its domestic function.
7. The proposal would build a new extension to the rear of the building, projecting from, and linked to, the later addition at right angles. The extension would be clad in black weatherboarding above a brick plinth and roofed with plain tiles.
8. Currently, by virtue of its lower ridge height and its lesser scale, when compared to the historic core of the LB, the extension appears subservient. This provides a clearly legible narrative of the development of the LB to provide a hierarchy of structure.
9. The extension would be a substantial addition to the dwelling, roughly equal in area to the existing extension. The land rises away from the byway accessing the site. Because of this, and although the internal floor to ridge height would be the same as that within the existing extension, the ridge of the roof would be higher. As a result, the proposal would appear over dominant and significantly erode the modest scale and historic phasing of the LB.
10. Thus, I find that the proposed development would fail to preserve the special interest of the listed building. In doing so it would harm the significance of the designated heritage asset. I give this harm considerable importance and weight.
11. Paragraph 205 of the National Planning Policy Framework (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 206 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.
12. Given the nature and scale of the proposal I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Paragraph 208 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.
13. The proposal would, during the construction phase, result in additional employment in the construction and supply chain industries. I acknowledge that this would be a public benefit. This economic activity would be likely to be focussed on the immediate area of the proposal and the government, in part 6 of the Framework, acknowledges the importance of a strong, competitive national economy, including a prosperous rural economy. However, given the small scale of the proposal, these public benefits would, in this case, be limited and insufficient to outweigh the harm that I have identified.
14. The proposal would provide additional accommodation for future residents of the dwelling. However, it appears that there is sufficient space within the LB to support a small household and the continued refurbishment and use as a dwelling would not be entirely dependent upon the delivery of the proposal.

Therefore, the additional accommodation provided would be a private, rather than a public, benefit.

15. Given the above and in the absence of public benefits that outweigh the harm that I have identified, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 206 of the Framework and conflict with Policy ENV2 of the Uttlesford District Council Local Plan (2005) in as much as this seeks to ensure that development affecting a listed building should be in keeping with its scale, character and surroundings. As a result the proposal would not be in accordance with the development plan.

Conclusion

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

I A Dyer

INSPECTOR