



Appeal Decision

Site visit made on 11 June 2024

by L Fleming BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10th July 2024

Appeal Ref: APP/C1570/W/24/3336409

Little Stonnards, Top Road, Wimbish, Essex CB10 2XJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms Hannah Green against Uttlesford District Council.
 - The application Ref is UTT/23/2433/FUL.
 - The development proposed is demolition of garage and erection of detached single storey dwelling in place of existing garage outbuilding. On site parking to serve both existing and proposed developments using a shared driveway (resubmission application to UTT/23/0722/FUL).
-

Decision

1. The appeal is dismissed, and planning permission is refused.

Background and Main Issue

2. The Council resolved that had it been in a position to determine the application it would have refused planning permission for reasons relating to the effect on the character and appearance of the area and harm to the setting of the grade II listed Little Stonnards Farmhouse, Top Road (the Farmhouse).
3. I acknowledge the Council's comments about the proposal appearing as two semi-detached dwellings. However, for the avoidance of any doubt, I have determined the appeal on the basis of it clearly being described and shown on the plans as a single dwelling.
4. Against this background the main issue is the effect of the proposal on the character and appearance of the area bearing in mind it would be within the setting of the grade II listed Farmhouse.

Reasons

Significance of the Farmhouse

5. The Farmhouse is a C17, two storey, timber framed (partly exposed), thatched roofed dwelling set in a large plot with mature trees which was formerly part of a working farm. It has a single storey addition, brick chimney and casement windows. Insofar as is relevant to this appeal the significance of the grade II listed building derives from its traditional architectural detailing and its historical association with agriculture.

Effect on the significance of the Farmhouse

6. The proposed dwelling would be finished in weatherboard in the style of a converted farm building. It would be accessed from the existing driveway with the majority of the mature landscaping on the appeal site retained.
7. I note the removal of the outbuilding would facilitate views of the pond to the rear of the Farmhouse from some vantage points within the appeal site. I acknowledge, with the existing and proposed landscaping the proposed dwelling would only be noticeable from Top Road through a glimpsed view passing by the access. I also accept that due to the positioning of the proposed dwelling, the view from Top Road will remain very similar to how it is now.
8. I have also noted the Council granted planning permission for two new dwellings at a site nearby known as the Bungalow¹. However, unlike the appeal scheme, that proposal has no effect on the grade II listed Farmhouse. I have considered all the evidence submitted with the appeal including the images within the Design and Access Statement. I also accept that the historical maps show there was once farmyard buildings to the south and east of the Farmhouse.
9. However, the large plot occupied by the Farmhouse would be subdivided to create two separate, much smaller plots. An existing single storey outbuilding would be demolished and a taller single storey dwelling with a much larger footprint would be erected in its place. Although the proposed dwelling would be further away from the Farmhouse than the building to be demolished, it would be a substantial three bed dwelling with an expansive L-shaped footprint much larger than that of the Farmhouse. Furthermore, the proposed south and east facing elevations would both be of a significant width and prominent next to the Farmhouse when viewed from within the appeal site.
10. In my view, the proposed dwelling would become the dominant feature of the appeal site. This together with the reduction in overall space around the grade II listed building would diminish its spacious agricultural and farmhouse character. Whilst the attempt to make the proposed dwelling appear as a converted farm building provides some mitigation, the proposed south facing elevation, with its large openings and pergola would have a modern domestic appearance.
11. Overall, through its scale positioning and design, the proposed dwelling would dominate the listed building, erode its agricultural significance and through its conflicting modern domestic character would detract from the traditional architectural features of the grade II listed building. These effects would harm the significance and fail to preserve the designated heritage asset.
12. The harm I have identified to the significance of the designated heritage asset would, in this case, be less than substantial and towards the lower end of any range. Paragraph 208 of the National Planning Policy Framework (the Framework) requires this harm to be weighed against the public benefits of the proposals, including where appropriate, securing optimum viable use. I deal with this in my conclusion below.

Other Matters

¹ Council reference UTT/23/3109/FUL

13. I acknowledge the comments with regard to the Council's handling of the planning application and the accuracy of the information in the statement of case. I also note the appeal scheme seeks to respond to the Council's objections to a previous scheme. However, I have determined the appeal on its planning merits.
14. I accept the addition of a dwelling into the appeal site will result in comings and goings and additional domestic activity taking place. However, in this context, for one dwelling, this is not such a level of activity that it would result in any harm by way of noise and disturbance impacts on the living conditions of the occupiers of the Farmhouse or other properties nearby.

Conclusion and Balance

15. The removal of the outbuilding and sharing of the drive is part of the proposal which I have taken into account in my reasoning above. I have found even with these elements of the proposal the scheme would still lead to less than substantial harm. These factors do not therefore carry any further weight in favour of the scheme.
16. It is contested whether the Council is unable to demonstrate a five-year supply of deliverable housing sites. It is not necessary for me to make any definitive findings on this matter, because it would not have altered the outcome of the appeal either way. However, for the avoidance of any doubt, I confirm I have determined the appeal on the basis of the appellant's best case (supply and shortfall) as detailed in the appellant's statement of case. The proposal would provide a new dwelling which in the context of being unable to demonstrate a deliverable five-year housing land supply, I attach substantial weight.
17. The proposed dwelling would accommodate a growing local family who occupy the Farmhouse avoiding the need for the Farmhouse to be extended to meet accommodation needs. It would be built from high quality traditional local materials, energy efficient and set in a well landscaped plot. There would also be economic benefits associated with construction and local expenditure, which carries significant weight. The proposal would also be a self-build dwelling in a location where demand for such plots exceeds supply, which also carries additional weight in favour of the scheme.
18. However, all these benefits combined, even if I accept them all as public benefits, are still relatively modest. In this case, in my view, they are insufficient to outweigh the great weight I must attach to the harm I have identified to the grade II listed Farmhouse.
19. Thus, the application of policies in the Framework that protect areas or assets of particular importance therefore provides a clear reason for refusing the development proposed. On balance, the proposal would also conflict with the development plan, particularly Policy GEN2 of the Uttlesford Local Plan (2005) which seeks to ensure good design generally and that proposals do not harm heritage assets.

Conclusion

20. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed, and planning permission should be refused.

L Fleming

INSPECTOR