



Appeal Decisions

Site visit made on 2 July 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal A: APP/W1525/324/3339601 189 Chignal Road, Chelmsford CM1 2JE

- 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 & Mrs Ben & Katherine Watson against the decision of Chelmsford City Council.
 - The application reference is 23/01692/FUL.
 - The development proposed is described as 'demolish existing garage and build two storey side extension and oak canopy on a listed building, changes to front drive (rebuild retaining wall), gravel paving, new trees and move beech hedge.'
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Appeal B: APP/W1525/Y/24/3339609 189 Chignal Road, Chelmsford CM1 2JE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Ben & Katherine Watson against the decision of Chelmsford City Council.
 - The application reference is 23/01693/LBC.
 - The works proposed are described as 'demolish existing garage and build two storey side extension and oak canopy on a listed building, changes to front drive (rebuild retaining wall), gravel paving, new trees and move beech hedge).'
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Decision

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).
4. The Council raises no objection to the proposed oak canopy and hard and soft landscaping works. Based on the evidence before me and my site visit, I have no reason to reach a different view to the Council on these parts of the proposal and find that they would not harm the special interest of the listed building.
5. To the north-west of the appeal site are Grade II listed buildings, which are known as 'Brickbarns Farmhouse' (Ref: 1122197) and 'Barn with Gable Dovecote to the north of Brickbarns Farm' (Ref: 1122198). I have had special regard to the desirability of preserving the setting of these listed buildings in

the determination of this appeal and I am satisfied that there would be no harm to the special interest of these listed buildings through changes to their setting.

Main Issue

6. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Crows Farmhouse' (Ref: 1120909), and any features of special architectural or historic interest that it possesses.

Reasons

7. Crows Farmhouse is a Grade II listed building, which dates back to the early 17th century and has been subjected to later additions. The dwelling is two storeys in height, with a hipped, peg-tile roof. The historic core of the dwelling has a timber frame. The central 2 storey wing on the northern side of the building is also of timber framed construction and estimated to be of 18th century origins. The smaller two storey extension on the north elevation appears to be a more modern, 20th century addition. A further two storey wing was added to the south-west of the building in the late 20th century.
8. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to this appeal is derived from its historic and architectural interest, as an illustration of 17th century domestic architecture. The building's timber frame, remaining historic fabric and use of traditional materials make important contributions in these regards.
9. The proposal seeks to demolish the existing attached garage and construct a two storey side extension. The proposal would have a gable facing the highway. A small link would attach the extension to the host building. While the existing side projection is a modern addition and of low architectural merit, given its single storey height and flat roof, it is subservient to the host dwelling.
10. The existing dwelling has a hipped roof, which slopes away from the highway. The existing hipped roof minimises the visual prominence of the roof from the public realm. I appreciate that the proposal would have a lower ridge height than the historic core of the building. However, the proposal due to its size, height and design, would result in a bulky and visually prominent addition, which would harmfully compete with the host dwelling. Although the proposal would be the same width as the existing single storey side projection, as a result of its greater depth and height, it would be significantly bulkier and more visually prominent from the public realm than the built form that it would replace.
11. The proposal has been designed to minimise its impact on the historic fabric, with a break at roof level between the extension and the host building. I find that the proposal would result in a disjointed addition, which fails to respect the special architectural interest of the host building. While the proposed materials and pattern of windows on the elevation facing the road would match that on the host building, I find that the large, contemporary window, with Juliette balcony would harmfully contrast with the smaller and more domestic scale of fenestration on the host property.
12. I appreciate that the side elevation of the building is partially screened from the public realm by the existing boundary treatment and the existing built

form. However, the proposal by reason of its size, height and depth would diminish views of the 18th century side projection and the rear roof slope of the historic core of the building, which would draw attention away from the historic part of the building.

13. Although the removal of the existing garage would enhance the special interest of the listed building. I find that the proposed two storey side extension by reason of its size, design and siting would result in a far greater level of harm to the special interest of the listed building than exists at present.
14. For the reasons given above, I find that the proposal would fail to preserve the special interest of the listed building. I give this harm considerable importance and weight in the planning balance of these appeals.
15. Paragraph 205 of the National Planning Policy Framework 2023 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 advises that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
16. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use. There is no compelling evidence before me to suggest that the use of the building as a residential dwelling would cease in the absence of the proposed changes and I do not find them necessary to secure the viability and long-term conservation of the building as a result.
17. Turning to the public benefits, I find that the proposed hard and soft landscaping works, including the new tree planting would result in an enhancement to the front of the building, which I give moderate weight in my decision. The proposal would also result in investment into the property, which would have a small economic benefit, which carries limited weight in favour of the proposal as a public benefit.
18. Overall, I give the public benefits moderate weight in my decision. Consequently, in attributing great weight to the harm that would be caused to the significance of the designated heritage asset, I find that there would be insufficient public benefits arising from the proposal to outweigh this harm.
19. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest and significance of the listed building. The proposal would fail to satisfy the requirements of the Act and paragraph 203 of the Framework. The proposal would also conflict with Policies DM13 and DM23 of the Chelmsford Local Plan 2013 to 2036, adopted May 2020. These policies among other things require that any extensions/alterations to a listed building do not adversely affect its significance as a building of special architectural or historic interest, both internally and externally and that extensions are high quality and compatible with the host building, in terms of their siting, scale, form, massing, materials and detailing. As a result, in respect of the section 78 appeal, the proposal would not be in accordance with the development plan.

Conclusion

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

A James

INSPECTOR