



Appeal Decision

Site visit made on 19 November 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 11 December 2024

Appeal Ref: APP/C1570/W/24/3336898

Lashley Hall Farm, Stebbing, Dunmow CM6 3BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Newfields Agricultural Holdings Ltd against the decision of Uttlesford District Council.
 - The application Ref is UTT/23/2767/PAQ3.
 - The development proposed is described as "Application for the conversion of an agricultural barn to two dwelling houses under the provisions of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)".
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. Schedule 2, Part 3, Class Q of the Order (the GPDO) permits development consisting of a change of use of a building and any land within its curtilage from a use as an agricultural building to a dwellinghouse, together with building operations reasonably necessary to convert the building, subject to certain limitations and conditions. The parties agree that the scheme would constitute development permitted under Class Q, subject to the prior approval of certain matters. I see no reason to disagree.
3. Therefore, the main issue is the effect of the design or external appearance of the building on the setting and significance of a Grade II listed building, "Lashley Hall" (Ref: 1112180) (the LB) and a Scheduled Monument, "Moated site and fishpond east of Lashley Hall" (Ref: 1007835) (the SM).

Reasons

4. The LB is a timber frame and plaster building with a red tile roof. It dates from the 15th century, replacing the original Lashley Hall which is thought to have stood on the nearby moated island. It is part of a loosely aggregated farmstead in an isolated rural location surrounded by agricultural land.
5. The appeal building lies to the west of the LB, separated from it by the open garden of the LB and an access track that serves Old Barn and land to the north. It is a large steel frame building, with blockwork and sheet cladding walls and a corrugated sheet roof. It has a cart door style opening in its front gable end elevation and a lean-to structure attached to its east elevation. It sits alongside a similarly large, arched hangar-style shed. The appeal building

is a utilitarian 20th century building, of no architectural merit and it is out of scale with nearby historic buildings. However, it replaced historic buildings in a similar location and it is a typical modern agricultural building. As such, the appeal building reflects the historic layout and use ancillary to Lashley Hall. Insofar as relevant to the appeal, the agricultural surroundings, which comprise the setting of the LB, contribute to its special interest as a high status rural dwelling and farmhouse.

6. As part of the proposal, the external cladding would be replaced with hemp fibre sheet cladding. A large number of tall, domestic-style openings would be created in both gable ends and the long side elevation facing the hangar building. The side elevation under the lean-to, which faces the LB, would be blank. Nevertheless, the extensively glazed building would be prominent and conspicuous on the approach passing the LB and from the public rights of way that pass in front of the building and between it and the adjacent hangar.
7. There would be a residential garden prominently sited to the front of the gable end with domestic parking beneath the attached lean-to. Irrespective of future garden paraphernalia or use, this arrangement would contribute to the domestication of the barn. Moreover, irrespective that the Council raises no concerns in relation to siting, the close juxtaposition of the proposal to the lean-to and hangar, with their continuing agricultural and storage use, would be visually incongruous and jarring and it would draw attention to the proposal.
8. By virtue of its prominent siting, uncompromising scale, design and surrounding context, the proposal would be a dominant form of development including by night due to the extensive light spill. Notwithstanding its separation from the LB, the intervening land is open and free from development such that the proposal would be readily visible in views of the LB. The overtly contemporary proposal would be poorly visually related to the historic dwelling. It would be a discordant feature that would not make a positive contribution to local distinctiveness or historic sense of place. The proposal would be urbanising residential development that would detract from the rural setting and thereby the special interest of the LB.
9. The SM comprises a stirrup-shaped moated site and a fishpond to the east of Lashley Hall. The site is mentioned as early as 1086 and, as noted above, the original Lashley Hall dwelling is thought to have stood on the island until around the time that the LB was constructed. The SM is a well-preserved, largely undisturbed and legible example of an early moated site. Its setting, insofar as relevant to the appeal, is associated with its rural siting and continuing relationship with Lashley Hall which contributes to the understanding of the symbolic importance of moats.
10. The proposal would be widely separated from the SM by the gardens of the LB and intervening buildings. Although in the wider setting of the SM, it would not detract from views of it nor would it sever the moated site from the wider countryside or alter its relationship to Lashley Hall. Taking into account its separation and surrounding context, the proposal would preserve the setting and the significance of the SM.
11. The previous residential conversions¹ elsewhere in the farmstead group relate to more modest, traditional buildings sited to the rear of the LB and that are

¹ Refs UTT/1208/12/FUL and UTT/17/3290/PAP3Q

integrated into their surroundings by mature planting. They are not directly comparable to the appeal, which relates to a prominently sited, large modern shed that is poorly related to the historic built environment and it is not softened or screened by landscape planting.

12. The appellant is frustrated by what they perceive to be an objection by the Council to the principle of the development rather than an objective assessment of the design and external appearance of the building. In this regard, the Council's conservation consultee does raise concerns in relation to noise, disturbance and residential paraphernalia, which are not strictly relevant to the design or external appearance of the building. However, while future residential activity would exacerbate the adverse visual impact, I have not taken it into account in my assessment.
13. The Council's officer report comments on each of the prior approval matters in turn. I acknowledge that it states that "*the building as residentially converted would be in keeping with the character of the building and its surroundings, and considered appropriate for the site's rural setting*". However, this is a comment in relation to the provision of adequate natural light in all habitable rooms. Moreover, even accepting that the intrinsic design of the proposal may be generally appropriate to a rural location, that does not preclude a consideration of site-specific effects in terms of its relationship with surrounding land and buildings which, in this case, includes heritage assets.
14. The GPDO sets out that regard must be had to the National Planning Policy Framework (the Framework), so far as relevant to the subject matter of the prior approval, as if the application were a planning application. In this regard, the Framework advises that great weight should be afforded to the conservation of heritage assets and any harm to the asset, including from development in its setting, requires clear and convincing justification. In this case, the harm would be at the lower end of less than substantial but nevertheless of considerable importance and weight. The proposal would make a small contribution to the supply of homes and there would be limited economic benefits during the works and future occupation. These benefits would not be sufficient to outweigh the harm that I have found.
15. Therefore, I conclude that the design and external appearance of the proposal would harm the setting of a Grade II listed building, Lashley Hall. Accordingly, the proposal would not be permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR