



Appeal Decision

Site visit made on 5 March 2025

by **C Carpenter BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2025

Appeal Ref: APP/C1570/W/24/3348798

Land South of Stock Mead, Wicken Road, Arkesden, Saffron Walden CB11 4EY

- 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 M Newland against the decision of Uttlesford District Council.
 - The application Ref is UTT/23/2928/FUL.
 - The development proposed is construction of a new build residential unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024. I invited the parties to consider whether the revised Framework had relevance to this appeal and have taken account of their comments in my decision.
3. I understand the Council is preparing a new Local Plan. I am not aware of the exact stage it has reached, the extent of unresolved objections or whether its policies will be considered as consistent with the Framework. Consequently, in accordance with Framework paragraph 49, I give it limited weight.

Main Issues

4. The main issues are:
 - whether the site in a countryside location would be suitable for a new dwelling;
 - the effect of the proposal on the significance of Arkesden Conservation Area as a designated heritage asset through development within its setting; and
 - whether the proposal would preserve the setting of the Grade II listed building known as Deans Farm Cottage.

Reasons

Countryside location

5. The appeal site is outside the settlement boundary of Arkesden, so is in the countryside for planning policy purposes. Saved Policy S7 of the Uttlesford Local Plan 2005 (ULP) protects the countryside for its own sake and only supports development that needs to be there or if its appearance protects or enhances the

particular character of the part of the countryside within which it is set. Supporting text also refers to opportunities for sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements. This overall policy approach is broadly consistent with the Framework's stance on rural housing and recognition of the intrinsic beauty and character of the countryside. I therefore give ULP Policy S7 significant weight for the purposes of this appeal.

6. There is no suggestion the proposed development needs to be in a countryside location. The site is located at the end of a ribbon of homes, so does not form a gap in a group of houses. Consequently, although close to a settlement, the proposed development would not constitute infilling. However, the proximity of other dwellings means it would not involve the development of an isolated home in the countryside for the purposes of Framework paragraph 84.
7. The countryside surrounding the appeal site is undulating and agricultural, an irregular patchwork of fields and woods, hedgerows, farmsteads and sunken lanes. Wicken Water transects Arkesden before meandering onwards across adjacent fields. The land rises gently on either side of this waterway to provide panoramic views across the village and its expansive rural surrounds. Waterside vegetation marks the path of Wicken Water across the landscape and can be seen behind the open appeal site on the way in and out of the settlement. The site is therefore integral to the surrounding countryside and its interface with the village. Its intermediary role can be appreciated from Arkesden looking out, from Poore Street and Clatterbury Lane as they approach the village, and from the public footpath that rises between these routes.
8. The proposed development, although single storey, would erode the openness of the site and largely obscure the vegetation marking Wicken Water's path into Arkesden. Comings and goings and residential paraphernalia would also have an urbanising effect even with existing vegetation retained. These harmful changes would break the site's visual connection with surrounding rural features and undermine its transitional role, thereby diminishing appreciation of the character of the local countryside from the above viewpoints.
9. New planting proposed along the site's southern border would reduce visibility of the new house on the approach to the village but would also interrupt visual continuity between the site and adjoining fields from several perspectives. Consequently, it would have little if any mitigating effect on the scheme's visual impact, irrespective of any ecological benefit. The proposed buffer zone between the new building and the waterway would also do little to reduce harm to the character of the countryside when seen from views out of Arkesden.
10. I recognise existing development at the southern end of Arkesden follows a broadly linear grain with varied building lines. Nevertheless, whether or not the new house would complement this development pattern, this consideration does not outweigh the harm to the intrinsic character and beauty of the countryside I have identified. Use of complementary materials or vernacular design features would also not overcome the proposal's detrimental effect on rural openness.
11. Consequently, I find the proposed development would neither protect nor enhance the particular character of the part of the countryside within which it would be set and would therefore be contrary to ULP Policy S7.

12. There is a bus-stop a short distance along Wicken Road within Arkesden, which would provide access to local schools. Another bus route could be reached on foot to provide access to a wider range of services and facilities than offered in Arkesden. Walking to these stops, or cycling to larger settlements, would not be easy for all. Nevertheless, bearing in mind opportunities to maximise sustainable transport solutions vary between urban and rural areas, I am satisfied there would be a choice of transport modes in accordance with the Framework. I also find no conflict with Saved ULP Policy GEN1(e), which requires development to encourage movement by means other than driving a car.
13. Notwithstanding an acceptable level of access to local services and facilities, the conflict I have identified with ULP Policy S7 is determinative. I therefore conclude the site in a countryside location would not be suitable for a new dwelling. Given the prominent contribution of the appeal site to the character of the surrounding countryside, I find the level of harm would be significant.

Arkesden Conservation Area

14. Arkesden Conservation Area (the CA) covers much of the settlement and extends close to the appeal site. Having regard to the CA Appraisal, its significance as a designated heritage asset is largely derived from the historic grouping of buildings in a rural hinterland that has changed little since the late 19th century, reflecting the settlement's comparative isolation. The CA has an intimate scale with channelled views out through trees and along Wicken Water's embankments to the surrounding landscape. Land within these views on the periphery of the CA therefore forms part of its setting and contributes to the CA's significance by reinforcing the relationship between the historic settlement and its rural context, notwithstanding some later intervening development. The appeal site is integral to this setting for the reasons described above.
15. For the reasons set out under the preceding main issue, the proposed development would obstruct views out of the CA towards the countryside and lessen appreciation of Wicken Water as a connecting feature between Arkesden and its rural hinterland. The proposal would therefore diminish this part of the CA's setting, with consequential harm to its significance. The appellant's Heritage Statement (HS) does not consider the effect of the proposal on the CA's setting or significance, so provides no clear or convincing justification for harm to the asset, contrary to Framework paragraph 213.
16. For the above reasons, I conclude the proposal would have a harmful effect on the significance of the CA as a designated heritage asset through development within its setting. The level of harm would be less than substantial. This is contrary to saved ULP Policy ENV1, which requires development to preserve or enhance the character or appearance of the essential features of a CA. It is also contrary to saved ULP Policy GEN2, which requires development to safeguard important environmental features in its setting.

Setting of Grade II listed building

17. The Grade II listed building known as Deans Farm Cottage, also called The Beehive, primarily dates from the 17th and 18th centuries, with some later alterations. Its significance is partly architectural, derived from features such as its timber frame, plastered exterior, casement windows and thatched roof. Historic maps before me show the building isolated within farmland on the periphery of

Arkesden. The building's significance is therefore also partly historic, owing to its function within this ancient agricultural landscape and relationship with the nearby settlement. Hence, the historic core of Arkesden and its rural hinterland, including Wicken Lane and the banks of Wicken Water, form the setting of the listed building and contribute to its historic significance as a designated heritage asset. The appeal site is part of this setting.

18. As I have explained above, irrespective of its height, design and materials, the proposed dwelling would cause fundamental and adverse change to the character of the appeal site, its relationship with Wicken Water and adjoining agricultural land, and the approach to Arkesden. The resulting detriment to the setting of the listed building would lessen its historic significance as a heritage asset. The altered relationship would be particularly visible from Poore Street, Clatterbury Lane and the interconnecting public footpath.
19. I recognise the setting of Deans Farm Cottage has evolved with the advent of newer dwellings between it and the historic limits of Arkesden. Nevertheless, together the listed building and the appeal site opposite continue to mark the historically significant transition from open countryside to settled land. If anything, therefore, Arkesden's evolution south renders the contribution of the appeal site to the listed building's setting even more important, and the harm to its significance that much greater. The boundary planting proposed to screen the development would if anything aggravate this harm.
20. I acknowledge scope to appreciate the listed building's architecture would be largely unaffected by the proposal, and there would be limited inter-visibility between the properties. Be that as it may, as architectural features only contribute to part of the asset's significance, this would not overcome the detriment I have identified to its historic significance from development within its setting. Moreover, the appellant's HS provides no pertinent assessment of, or justification for the harm to, this aspect of the building's significance.
21. For the above reasons, I conclude the proposed development would not preserve the setting of the listed building known as Deans Farm Cottage. The resulting harm to the building's significance as a designated heritage asset would be less than substantial. This is contrary to saved ULP Policy ENV2, which resists development that adversely affects the setting of listed buildings. The absence of clear and convincing justification for the harm is also contrary to the Framework.

Other Matters

22. I have considered the other decisions brought to my attention. On the evidence before me, the Quicksie Hill site¹ is on a different side of Arkesden, so does not form part of the immediate context which is an important consideration here. Although September Hill² is in the vicinity of the current appeal site and within the setting of the same listed building, there is little to show how the circumstances affecting that site, or the effects of that proposal, are directly comparable to those before me. The Langley Upper Green case³ is in a different settlement altogether, notwithstanding some similar factors. Be that as it may, each listed building has its own individual significance and setting, so the decision-maker's judgement in that

¹ Appeal Ref APP/C1570/W/19/3225516

² Application Ref UTT/21/1293/FUL

³ Application Ref UTT/24/0359/FUL

instance is not directly applicable to the scenario before me. Consequently, these other decisions do not alter my conclusions on the main issues in this appeal

23. The appeal scheme before me is a resubmission of a preceding application refused by the Council. I appreciate the appellant has attempted to overcome the concerns previously raised but the amendments would still harm the countryside location and significance of heritage assets for the reasons I have already outlined.
24. The Council has raised no concern with parking, site access, highway safety, waste, energy or water efficiency, the living conditions or safety of future occupiers, or the proposal's effect on neighbouring occupiers. On the evidence before me, I see no reason to disagree. However, an absence of harm in these respects is a neutral factor.

Planning Balance

25. I have found the proposal would result in less than substantial harm to the significance of both the CA and Deans Farm Cottage as designated heritage assets, through development within their setting. The Framework requires me to give great weight to the assets' conservation, irrespective of the level of harm. Accordingly, I give considerable weight to the harm to their significance.
26. Less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.
27. The provision of one dwelling on a small site could be built out relatively quickly and would contribute to the Council's acknowledged shortfall in housing land supply. At just over 4 years the shortfall is moderate but one dwelling would add little to this, so I give this benefit limited weight. There would be an economic benefit from construction and future occupiers' use of local services and facilities, which would help maintain the rural community. Given the modest scale of the scheme I give this limited weight. The proposed enhancement to biodiversity would be limited in scope so I ascribe it little weight. Individually or cumulatively, the weight I have attached to these public benefits would not outweigh the considerable weight of the harm to the assets' significance.
28. Policies in the Framework that protect heritage assets provide a clear reason for refusing the development. Therefore, as set out in footnote 7 of the Framework, the presumption in favour of sustainable development at paragraph 11d) is not engaged.
29. In addition to heritage harm, I have found significant harm to the countryside location, to which I attach significant weight. This would also not be outweighed by the benefits of the proposal listed above.

Conclusion

30. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR