



Appeal Decisions

Site visit made on 3 April 2025

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal A - Ref: APP/Z1510/W/24/3350624

Simpsons Farm, Belchamp Road, Pentlow, Essex, CO10 7JT

- 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 N Johnson against the decision of Braintree District Council.
 - The application Ref is 24/00830/HH.
 - The development proposed is 'Erection of two-storey side extension'.
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Appeal B - Ref: APP/Z1510/Y/24/3350628

Simpsons Farm, Belchamp Road, Pentlow, Essex, CO10 7JT

- 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 N Johnson against the decision of Braintree District Council.
 - The application Ref 24/00831/LBC.
 - The works proposed are 'Erection of two-storey side extension and associated internal works'.
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Decisions

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

Main Issue

3. The main issue in these appeals is whether the proposed development and works would preserve the Grade II listed building known as Simpsons Farm.

Reasons

4. The appeal building is an attractive detached dwelling broadly located centrally within extensive grounds with large outbuildings to the rear. The earliest part of the building is timber framed with a plain tiled roof with a hip and gablet. It was probably constructed as a hall house in the fifteenth century and was described as a moated site in 1984 by Historic England. The oldest section of the building is therefore a repository of past building techniques and bygone lifestyles. This imparts considerable evidential and historic value. The rustic charm and local distinctiveness also give the building aesthetic value.
5. The property has been significantly extended in recent years with a conservatory at one end, two-storey extensions at the other and a lean-to at the rear. These extensions do not really respect the form and scale of the early timber framed section. Indeed, the lean-to is wider than the original dwelling and the two-storey side extensions are large, deep additions with higher eaves than the original and an awkward south facing gable. That said, the older central timber framed section still reads as the principal element of the building, and this provides legibility.

6. The proposal would be a relatively large two storey extension added to the existing two storey side additions. Although finished in matching materials, set back from the front elevation and subservient in size to the existing building, the new extension would nevertheless be an imposing addition, especially in the important view from the south. This would exacerbate the jarring relationship outlined above. Indeed, the Council suggests the proposal, in combination with the existing two storey extensions, would appear as a new house on the side of the historic core of the building. I consider this a fair description. The extension would also be a bulky addition on account of the wide gable span.
7. Accordingly, the primacy of the oldest part of the building would be eroded by the combined subsuming effect of proposed and existing extensions. Indeed, the historic core, which is the most significant part of the building, would be dominated by extensions. This would adversely affect the evidential and aesthetic value and significance of the building. I also share the view of the Council that the legibility of the scale and form of the earliest part of the building would be eroded, with the proposal representing an overdevelopment when viewed cumulatively with existing extensions. As such, the character of the building would be harmed.
8. The proposal would not result in any historic fabric being lost and therefore the harm to the listed building would be less than substantial within the meaning of the National Planning Policy Framework (the 'Framework'). In such circumstances, the Framework, and by extension Policy LPP57 of the Braintree Local Plan, require the harm to be weighed against the public benefits of a proposal. In calibrating this balance, the Framework states that listed buildings are an irreplaceable resource that should be conserved for existing and future generations and that great weight should be given to their conservation. Conservation in this context means sustaining, and thus not harming, the building's significance. This is synonymous with the considerable importance and weight that must be given to the statutory duty to pay special regard to the desirability of preserving a listed building¹. Although not an instruction to dismiss a proposal that would harm a listed building, it nevertheless provides a strong presumption in favour of preservation.
9. Enlarging the building would improve the accommodation available to the existing and future occupants of Simpsons Farm. It would also result in a large house which could be considered more proportionate in size to the extensive grounds. In so far as these could be considered a public benefit, they would be very minor ones. This is because there is nothing of substance before me to demonstrate the building has suffered long periods of emptiness or neglect on account of its size or the level of accommodation available relative to the extent of the grounds. On the contrary, the building is currently occupied and in good condition. As such, the proposal is not necessary to secure or support the optimal viable use of the building. Added to this, the construction and subsequent occupation of the extension would result in some minor public benefits to the economy.
10. Overall, the public benefits of the scheme would, at most, carry modest weight. Conversely, the harm, must carry at least great weight. Accordingly, the public benefits would be some considerable way off outweighing the harm.

¹ See Sections 66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

11. In conclusion, the proposal would harm the significance of the listed building. The listed building would not be preserved. This harm is not outweighed by public benefits. The proposal is therefore at odds with Policies LPP36, LPP52 and LPP57 of the Braintree LP, which seek to secure well designed extensions that are compatible with the host building and would conserve heritage assets.

Other Matters

12. The appellant has suggested that the extension is necessary because the bedroom on the second floor is impractical due to a low door height and beams, which restrict movement by adults. Having observed this, I agree that it would be inconvenient for an adult to use this room regularly. However, there is still three generous bedrooms on the first floor. The proposal would incorporate a boot and utility room, but these features are already present in the building, albeit smaller in scale than what is proposed. There is nothing before me that demonstrates hygiene standards and animal welfare have suffered from using the existing boot and utility room. Ultimately, if the property no longer meets the requirements of the appellant and his family then there would be the option to move. Such personal matters do not outweigh the harm that would otherwise occur to this listed building.
13. The proposal is an amendment to a previous scheme that was refused by the Council. However, I have considered the scheme on its own merits and found it to be unacceptable for the reasons given. The extension would not be visible from public vantage points. However, the impact on listed buildings is not considered solely from the public realm, as otherwise internal works would not require consent. Instead, it is the effect on the building as an archaeological and cultural resource that is paramount. Overly extending such a building in the way proposed would harm the building's intrinsic value.
14. Letters of support have been submitted but they are not determinative for the reasons given above. The appellant has also referred to examples of extensions at other properties, but these are of limited relevance given the site-specific nature of my findings. As such, no inconsistency would occur. Only the example at Cut Hedge Cottage is local to the appeal scheme. However, in my view this appears to involve a jarring and contrived extension which does not outline a template to be followed at other listed buildings.

Conclusion

15. Given the above, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building. There are no other considerations or public benefits that would outweigh this harm. It would therefore fail to satisfy the expectations of The Planning (Listed Buildings and Conservation Areas) Act 1990, or the requirements of the development plan insofar as relevant. Accordingly, for the reasons given, the appeals have failed.

Graham Chamberlain
INSPECTOR