



Appeal Decision

Site visit made on 6 August 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 September 2025

Appeal Ref: APP/C1570/D/25/3362047

Walnut Tree Cottage, The Street, High Easter, Essex CM1 4QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs K Thomson against the decision of Uttlesford District Council.
 - The application Ref. is UTT/24/2642/FUL.
 - The proposed development is construction of a garage (on site of previously demolished garage).
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Decision

1. The appeal is allowed and planning permission is granted for construction of a garage (on site of previously demolished garage) at Walnut Tree Cottage, The Street, High Easter, Essex CM1 4QW in accordance with the terms of application reference UTT/24/2642/FUL and subject to the following conditions:
 - 1) The development hereby permitted shall be begun within three years of the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no: 01 Rev. B (1:1250 location plan, 1:200 site plan, 1:50 floor plan, proposed elevations and section).
 - 3) No development above ground level shall commence until details / samples of all external finishing materials, including the driveway, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 4) No development shall take place on site until a Precautionary Working Method Statement has been submitted to and approved in writing by the local planning authority. This should contain measures to reduce potential impacts to Great Crested Newts, hedgehogs and other small animals during the construction phase. The development shall be carried out in accordance with the approved method statement.
 - 5) No development above ground level shall commence until a Biodiversity Enhancement Layout providing details and locations of measures to enhance biodiversity, such as bird boxes, has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Main Issue

2. The main issue is the effect on the character and appearance of the High Easter Conservation Area.

Reasons

3. The site comprises an area of open land, roughly triangular in shape, located to the south of Lime Tree House towards the southern end of the village. The Council describe the site as an 'open field', and I note that it lies just outside the village 'development boundary', but to my mind the site has the appearance of a residential curtilage, albeit there is currently no dwelling on the site, the former cottage having been demolished in 2020.
4. There is an existing vehicle access into the northern part of the appeal site just beyond the bend in the road, which the appeal site sits on the inside of, leading to areas of hardstanding, with the remnants of a building located along the northern boundary adjacent to Lime Tree House. The southern part of the site appears to be the former garden area with dwarf brick wall and hardstanding roughly in the area of the proposed garage, the site of a former garage. This part of the site is surrounded by a dense roadside boundary hedge. A single mature walnut tree, (covered by Tree Preservation Order) located towards its centre was blown down recently in high winds. To the rear of the site is small woodland area.
5. The appeal site lies in the south-western part of the High Easter Conservation Area (CA) which encompasses mainly frontage development along The Street following the linear pattern of the village. The CA widens out to include larger areas comprising the Grade I listed St Mary's Church and its surroundings, to the north of the appeal site, and the group including Barley Barns to the west. The CA Appraisal and Management Proposals (2013) (CAMP) identifies the general character of the village as being in a tranquil rural setting, set within a landscape setting of irregular, mainly arable fields, delineated by hedgerows and ditches. The extent of the CA reflects the village settlement area as it existed in the later 19th Century with the central historic core around the junction of The Street and School Lane being the hub, with the church being the oldest known surviving building dating back to the 12th century, being the village's main landmark.
6. The dwelling that formerly occupied the appeal site, Homely, a circa 18th Century thatched cottage with white painted plaster elevations, is identified in the CAMP as an '*other building that makes an important architectural or historic contribution*'. However, as noted above, it has now been demolished albeit permission has been granted for a new dwelling on the site roughly in the same position towards the northern boundary¹. The appeal site lies within identified Area 1 (historic core) the character of which derives mainly from the dominant church building and attractive historic cottages and buildings which line The Street, many of which are listed and some of which originate from the 15th century. The wooded area to the rear (west) of the appeal site is identified as an important green space which extends up to and includes the area around the church.
7. The proposed garage would occupy an area greater than that of the existing hardstanding area towards the centre of the site frontage, albeit set back from the roadside boundary behind the hedge which would be retained. It would be of

¹ Ref: UTT/22/0633/FUL dated 18 August 2022

partially open-fronted 'cart-shed' appearance with black timber boarded elevations over a brick plinth, matching timber double door to the garage / store section and green oak frame to the open front and side elements of the covered parking space. The pitched roof, with ridge height of 5 metres, would be finished in clay pantiles.

8. The proposed triple garage would be a large structure and given its overall height and position close to the site frontage, its roof in particular would be visible within the street scene. However, it would be of sympathetic vernacular design, complementary to the rural character of the village conservation area and not unduly prominent given that the flank end elevation would be sited facing the road frontage behind the retained hedge. The front elevation would be visible through the site entrance, but this would not be incongruous within a street scene comprising of built forms set close to the road frontage. The CAMP identifies a key view from a point just to the south of Barley Barns looking towards the southern end of the village but due to the bend in the road and the vegetation around and adjacent to the appeal site, it is unlikely that the building would be seen within it.
9. The proposals also indicate the driveway area to the front of the site would be renewed and finished in brick pavements with a small planting area provided in the centre. Subject to samples of the pavements being submitted for approval, this would provide a suitable appearance to the front of the site. It is unclear if the permission for the new dwelling on the site remains valid; however, whilst the proposed garage would be sited forward of the dwelling it would be to the side of it with a reasonable gap retained and of subservient size and complementary appearance.
10. Overall, I find that the proposal would preserve the character and appearance of the High Easter Conservation Area and would thus comply with Policy ENV1 of the Uttlesford Local Plan (2005) which states that development that preserves or enhances the character and appearance of the conservation area will be permitted. The duty under S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would also be satisfied as would the policies of the National Planning Policy Framework which seek to conserve and enhance the historic environment.

Conditions

11. The Council has suggested a number of conditions which I have reviewed in the light of Framework paragraphs 56 and 57. In addition to the standard time condition, a condition to refer to the approved plans is necessary in the interests of clarity and proper planning. In this respect it is unnecessary to refer to the proposed tree protection measures given that the preserved tree has blown down. A condition to require the submission of details / samples of the materials to be used is necessary in the interests of the character and appearance of the conservation area. The Council's Ecology Officer has suggested two conditions to secure biodiversity enhancement and a precautionary working method statement to minimise / prevent any adverse impact on local ecology. Given the potential impacts identified these are necessary and proportionate to the development.

Conclusion

12. I therefore conclude that this appeal should be allowed.

P B Jarvis

INSPECTOR