



Appeal Decisions

Site visit made on 9 September 2025

by R Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2025

Appeal A Ref: APP/C1570/Y/25/3366366

The Dairy, Grange Green, Tilty CM6 2EQ

- 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 Chris Christou Xenophontos against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0475/HH.
 - The development proposed is described as installation of solar panels to roof within the courtyard.
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Appeal B Ref: APP/C1570/W/25/3365781

The Dairy, Grange Green, Tilty, Essex CM6 2EQ

- 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 Chris Christou Xenophontos against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0476/LB
 - The works proposed are described as installation of solar panels to roof within the courtyard.
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Decisions

Appeal A Ref: APP/C1570/Y/25/3366366

1. The appeal is dismissed.

Appeal B Ref: APP/C1570/W/25/3365781

2. The appeal is dismissed.

Procedural and Preliminary Matters

3. As the proposal relates to works and development affecting a listed building and its setting, and the setting of another listed building, I have had regard to the provisions of s.16(2) and s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
4. The proposal before me follows the refusal of previous applications for works and development to The Dairy and the subsequent dismissal of two related appeals. The most recent appeal was determined in 2024¹ and proposed the installation of three conservation-style rooflights. The Council provided copies of those decisions and I have had regard to them in the determination of these appeals insofar as they may be relevant material considerations.
5. The parties refer to The Dairy as being a 'curtilage listed' building and the Council highlight the harm that would be caused to the setting of the principal building with

¹ APP/C1570/W/23/3333617 and APP/C1570/Y/23/3333616.

which it is associated, Tilty Grange the former principal farmhouse (listing entry ref: 1169130). The Dairy forms part of a historic complex of farm buildings that also derives significance from a functional and historic relationship with an adjacent seven bay barn to the west, which is separately listed (listing entry ref: 1112184) (The Barn). The footprint of the farm buildings is shown on 19th century mapping, grouped around three courtyards and that building is also an integral part of the setting of Tilty Grange.

6. During the course of the appeal I sought further clarification from the parties on the status and significance of the various buildings. For the purposes of the Act, a listed building includes any structure that is within its curtilage which has existed since before 1st July 1948. That is the case here and although the appellant also refers to The Dairy as a Non-Designated Heritage Asset, as structures within the curtilage that have a principal and accessory relationship to Tilty Grange, The Dairy must be treated as part of that listed building. However, I have also had regard to the setting of The Barn, which is listed in its own right and which also contributes to the special interest of Tilty Grange.

Main Issues

7. Given the above, the main issues are whether the proposed works/development would preserve the special architectural and historic interest of Tilty Grange and The Barn, Grade II listed buildings, and their setting.

Reasons

8. The appeal property is formed from a series of linked single-storey barns to the west of Tilty Grange converted for residential use. Tilty Grange is an early 16th century house, timber framed and plastered with a red plain tile roof. Two storeys it has a gabled cross wing at the western end, double window range, leaded casements and a 17th century porch under a plain tiled gabled roof. It is closely associated with a group of agricultural buildings, set around a series of yards and converted to provide six residential units in the 1990's. This includes the separately listed seven bay barn to the west of Tilty Grange. A timber framed and weatherboarded barn, with a corrugated asbestos roof it has a gabled midstorey to south, seven aisled bays on one side only. The frame is virtually complete, with braced tie beams, side purlin roof and intermittent collars.
9. Listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest. Even if a building is listed by virtue of being within the curtilage, this does not necessarily mean that it has any significant value in contributing to the character or special interest of the principal building. This will depend on matters such as its history, use and appearance. Nevertheless, its preservation carries considerable importance and weight.
10. The buildings are experienced together as a historic farmstead and are valuable in allowing an understanding of the various agricultural operations, functions and relationships between the land and associated buildings. The special interest insofar as it relates to these appeals is therefore primarily associated with the legibility of the buildings as a functional group of agricultural buildings set within an agrarian landscape. They also have an aesthetic, and historic value derived from their form, scale and materials and as repositories of past building traditions and technologies. Further, there is also strong evidential value as examples of continuous change in utilitarian farming-built form which positively contributes to

an understanding of how those farming practices and buildings have evolved over time.

11. The Dairy is laid out around a courtyard, which would have once operated as a farmyard and forms part of this functional group. Whilst this courtyard currently forms part of the residential garden associated with the dwelling, the original functional layout of the building group and its value is readily apparent and the surrounding land remains in agricultural use. This adds to the significance of the assets because their historic connection can be readily appreciated. The conversion of the buildings preserved much of their character and appearance with a clear legibility of their relationship to each other. In particular, the buildings have largely uninterrupted tiled pitched roof slopes and a form commensurate with their former agricultural function with the roof only punctuated by minor interventions such as flues and vents.
12. I acknowledge that the proposal would be sited on an internal facing roof plane and therefore would only be visible from the garden of the appeal property. While the works (which are also development) would not be readily visible from the public realm, listed buildings, including curtilage listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public or private views of the building can be gained. Further, the contribution that setting makes to the significance of a heritage asset does not depend on there being public rights or an ability to access or experience that setting.
13. The proposed panels would measure approximately eight metres by two metres mounted on small metal frames and would appear to cover the majority of the roof slope. Introducing an alien shape and form the resultant appearance of the roof would be markedly altered and would sit in stark contrast with the weathered red plain tiled roof of this part of the building. This would not reflect the simplistic and traditional character and appearance of this former farm building. It is also likely that their extent, behind the slate roof gable would result in them being glimpsed in limited views in the former farmyard and in association with The Barn.
14. In both appeals the proposal would undermine the visual appreciation of the building's former agricultural use and appearance, introducing a false narrative to the building's past. This would diminish the special architectural and historic interest and detract from the historic agrarian setting of the listed buildings.
15. In reaching this view my attention has been drawn to a permission and consent for two rooflights on the principal elevation of The Barn. However, there is no dispute modern interventions can be carried out on listed buildings, they appear to be of a much smaller scale than the proposal before me, inset and do not protrude significantly above the roof plane. There is also no substantive evidence of the reasoning for those rooflights or details of consent and permission being given and they do not set an automatic precedent for further modern alterations which must be considered on their own merits.
16. In this case I am determining both s20 and s78 appeals. However, listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004. Although such appeals do not therefore need to be determined in accordance with the plan, the relevant provisions are still capable of being material considerations. The proposal would conflict with Policy ENV2 of the Uttlesford Local Plan insofar as it requires development affecting listed buildings

to be in keeping with scale, character and surroundings and that development proposals which adversely affect the setting, and alterations that impair the special characteristics of a listed building should not be permitted.

17. The National Planning Policy Framework (the Framework) is a significant material consideration and advises that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting. Any such harm should have a clear and convincing justification. In the terms of the Framework, I find the harm would be less than substantial and towards the lower end of any scale but nevertheless should be given considerable importance and weight. Under such circumstances, the Framework advises that the harm should be weighed against the public benefits of the proposal.
18. The proposal would be reversible and could be installed with limited impacts to historic fabric. It would generate sustainable electricity and could allow the appellant to reduce their carbon footprint, their dependence on the National Grid and contribute to efforts against climate change. The system proposed is estimated to produce 5646 kWh of electricity per annum and therefore the proposal could neutralise the energy usage² of the appeal property and could generate surplus energy for the National Grid. This would support the transition to a low carbon future.
19. Despite reference to them and their associated effects from the appellant, there is no substantive evidence or details of any reasonable alternatives such as ground mounted panels having been considered. Nonetheless, this would be a notable public benefit, although limited given the scale of the proposal it weighs significantly in favour. There would also be limited and short-term and perhaps longer economic benefits accrued through the installation and operational stages.
20. The continued viable use of the appeal property as residential accommodation for the appellant or as a separate residential use is not dependent on the development as there is nothing to suggest that the building's ongoing use would cease in its absence. I also note the references in the Heritage Statement³ to the Council's emerging local plan, Climate Change Strategy and guidance on achieving net-zero carbon status by 2030. However, only links have been provided and as this information requires downloading it is not therefore admissible as evidence. In any event a number of often competing considerations have to be balanced in such cases and in this particular case I do not consider that the public benefits would be sufficient to outweigh the less than substantial harm that would occur.
21. In reaching this view I have also given due regard to the advice provided in Historic England's Adapting Historic Buildings for Energy and Carbon Efficiency (2024) guidance. However, this is general guidance from which it should not be assumed such proposals are acceptable for all buildings, and it should be applied to each case having regard to the individual circumstances, as I have done in these appeals. Adapting historic buildings appropriately does not just mean employing the most effective means of reducing carbon emissions and reliance on fossil fuels, it also means doing so in ways that protect historic significance and character and I do not consider it has been demonstrated that would be the case here.

² These figures are taken from the appellant's latest email of 17 September 2025.

³ In 5.0 'Summary'.

22. My attention has also been drawn to other proposals for similar development and works approved by the Council on other sites. I acknowledge consistency in decision making is important and I note the appellant's concerns regarding the actions of the Council in not determining such proposals consistently. However, each listed building requires bespoke, site-specific considerations and judgments to be made as the significance of each building is not the same. Therefore, there would have been different effects and benefits to be weighed by that decision maker.
23. I have also had regard to LPA ref: UTT/14/0299/HHF for 16 solar panels on the roof of an outbuilding. Whilst that property is within the same postcode it lies opposite Tilty Grange, they are not the same buildings and have different special, architectural and historic interest, significance and settings. On the evidence before me it is not directly comparable to the proposal before me and does not alter my views. Applications for works and development appear to also have been approved at a property the appellant refers to as Oakmead pursuant to LPA ref: UTT/23/3065/LB and UTT/23/3064/HHF but again no substantive details of that scheme have been provided. I am therefore unable to be conclusive that it is directly comparable to the proposal before me and in any event each case must be determined on its own merits. On the evidence before me none of these other considerations individually or cumulatively alter my views.
24. Given the above and in the absence of public benefits that would outweigh the harm that would be caused, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed buildings and detract from their setting.

Other Matters

25. It is not determinative in these appeals that the appellant contends the Council did not undertake a site visit and I have made my own observations, including requesting further clarification on the status of the listed buildings from the parties. Neither is it determinative that the Council may have once planned to install solar panels in its own housing stock as no details of that scheme or its effects are before me. On the evidence before me none of these other considerations individually or cumulatively alter my views.

Conclusion

26. For the reasons given above, in both appeals the proposal would fail to preserve the special architectural and historic interest of the buildings and their setting, thus failing to satisfy the requirements of the Act, development plan policies and the Framework insofar as relevant.
27. Having regard to all other matters raised I therefore conclude that the appeals should be dismissed.

R Aston

INSPECTOR