



Appeal Decision

Site visit made on 13 November 2025

by **E Catcheside BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18th December 2025

Appeal Ref: APP/J1915/Y/25/3362945

27 Bell Street, Sawbridgeworth, Hertfordshire CM21 9AR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against the refusal of details of works required by a condition of a listed building consent.
 - The appeal is made by Mr Peter Bennett against the decision of East Herts Council.
 - The application reference X/25/0080/CND sought approval of details pursuant to conditions numbers 3 (itemised schedule and timetable of repairs), 4 (new/replacement doors), 5 (details of pergola and fixing locations), and 6 (boundary walls, fences, & means of enclosure) of listed building consent reference 3/21/1042/LBC granted on 13 May 2022 for installation of connecting pergolas and new rear sliding doors replacing window.
 - The application was refused by notice dated 20 March 2025.
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Decision

1. The appeal is allowed insofar as it relates to the details submitted pursuant to condition 5 (details of pergola and fixing locations) attached to listed building consent reference 3/21/1042/LBC (installation of connecting pergolas and new rear sliding doors replacing window), granted on 13 May 2022, at 27 Bell Street, Sawbridgeworth, Hertfordshire CM21 9AR in accordance with application reference X/25/0080/CND and plan no. 40.001a.
2. The appeal is dismissed insofar as it relates to the details submitted pursuant to conditions 4 and 6 attached to listed building consent reference 3/21/1042/LBC, granted on 13 May 2022.

Preliminary Matters and Background

3. On 13 May 2022, the Council granted listed building consent (LBC) for works described as *'installation of connecting pergolas and new rear sliding doors replacing existing window'* in relation to the Grade II listed building known as 27 Bell Street¹.
4. The application refers to the discharge of conditions 3, 4, 5, and 6 of the LBC. However, the decision notice and the appeal form refer only to conditions 4, 5, and 6. The evidence suggests that the Council has approved details submitted pursuant to condition 3. Therefore, I have proceeded on the basis that condition 3, and any details submitted pursuant to it, do not form part of this appeal.
5. Condition 4 of the LBC says: *"Prior to any building works being first commenced, detailed drawings including sections, showing the new and/or replacement door(s) which it is proposed to install, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority and*

¹ List entry number 1101685

thereafter the development should be implemented in accordance with the approved details.”. The reason given for condition 4 is: “To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018”.

6. Condition 5 of the LBC says: *“Prior to any building works first being commenced, detailed drawings including sections, showing the pergola and fixing locations which it is proposed to install, together with a detailed description or specification, shall be submitted to, and approved in writing by the Local Planning Authority and thereafter the development should be implemented in accordance with the approved details.* The reason given for condition 5 is: *“To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018”.*
7. Condition 6 of the LBC says: *Prior to the first occupation or use of the development hereby approved, details of all boundary walls, fences or other means of enclosure to be erected shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development should be implemented in accordance with the approved details.* The reason given for condition 6 is: *“In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018”.*
8. On my site visit, I observed that works were being undertaken on a detached outbuilding on the site which reflected the position and dimensions of the outbuilding shown on the LBC plans. A timber fence was present along one side boundary of the site; and white rendered walls marked the opposing boundary and demarcated the refuse storage area. A pergola was also present. However, the pergola was not identical to the structure shown on the submitted plans in that it was shorter in length, ceasing at the extent of the rear extension to the listed building rather than extending to the older, historic, façade of the property. Doors were present on the detached outbuilding and on the rear elevation of the single storey rear extension to the main building.
9. Whilst works have clearly been undertaken on the site in connection with the LBC, I have necessarily considered the appeal based on the submitted details rather than the works I observed on site, as it is the appeal documents that reflect the details for which permission is sought.
10. As the proposal is in a conservation area and relates to a listed building, I have had regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
11. The Council has referred to Policies DES4 and HA7 of the East Herts District Plan October 2018 in its reasons for conditions 4, 5, and 6. Although development plan policies are not determinative in an appeal of this nature, I have had regard to the objectives of these policies in my consideration of the matters before me.

Main Issue

12. The main issue is whether the details submitted pursuant to the requirements of conditions 4, 5, and 6 of the LBC are sufficient to discharge those conditions and, if so, whether the details submitted would preserve the special architectural and historic interest of 27 Bell Street and whether the character or appearance of the Sawbridgeworth Conservation Area (CA) would be preserved or enhanced.

Reasons

Special interest and significance

13. 27 Bell Street is a Grade II listed timber-framed building with a red tiled roof dating from the 16th-17th Century. The official list entry indicates that the building was once a house; however, it is currently used as a café. The building displays historic and architectural features, which are indicative of the materials and the construction processes used at the time in which the building was constructed. These features include the steep red tiled roof, the remains of basketwork pargetting, and the wooden windows with leaded glazing, which can be appreciated from the Bell Street frontage.
14. The back of the building has been significantly altered at ground floor level; including with a relatively modern mono-pitched extension which conceals most of the traditional façade of the building. Due to its width and depth, the extension has a degree of dominance over the historic parts of the building when it is observed from the rear courtyard; and the outbuilding and the other structures I observed on my site visit have added further to the cumulative mass of the newer parts of the building. However, the tiled roof remains a prominent feature, enabling the historic core of the building to be appreciated from the rear, albeit to a reduced extent.
15. Insofar as it is relevant to this appeal, the significance of the building is derived from its age and its surviving historic fabric which evidences post-medieval development in this area.
16. The site lies within the Sawbridgeworth Conservation Area (the CA), which encompasses the core of the town. Insofar as it is relevant to this appeal, the significance of the CA is derived from the rich mix of buildings, streets, and spaces that reflect the evolution of the settlement over time. As a historic building on a key frontage within the CA, the appeal site aids the ability to understand the development of the town and its association with past eras. Therefore, the site makes a positive contribution to the significance of the CA as a whole.

Details submitted pursuant to condition 4

17. I have been provided with manufacturer's brochures including specifications and dimensions for bifold doors and timber doors, and the appellant has pointed me to specific page numbers within these documents which are purported to provide the details required by condition 4. When read together with the elevation drawings submitted with the LBC application, the documents provide some information that indicates the intended design and appearance of the proposed doors.
18. However, the brochures submitted do not provide details that are specific to the works at 27 Bell Street. Rather, they set out a range of options from which door products could be selected. For example, the documents show that bifold doors could be provided in a variety of configuration and opening options, as well as with options for sash heights, widths, and weight amongst other things. Similarly, the images in the timber door brochure show that timber doors come in a range of styles and dimensions. Consequently, from the information before me, I cannot be certain as to the precise details and specifications that are proposed in relation to the works at the appeal property nor whether the doors that have been erected at the site reflect the details proposed.

19. The submitted timber door profiles document is clearly intended to provide detailed information in respect of the doors. However, the plan does not explain the locations of the profiles shown and there are no unit references or a scale bar from which the dimensions can be reliably interpreted. This adds to the degree of uncertainty that I find in respect of the details of the doors and how the proposals relate to the specific site and the works.
20. Having regard to my duties under the Act, and in the absence of the detailed drawings and sections of the proposed doors, which are specifically referred to in the condition wording, the submitted information does not meet the requirements of condition 4 to the necessary degree of clarity and precision. Hence, I am unable to properly consider the effects of the details submitted on the special interest of the listed building and on the character and appearance of the CA.

Details submitted pursuant to condition 5

21. At the time the LBC was determined, the Council raised concerns about the length of the pergola extending to the historic façade of the listed building. However, the LBC was nonetheless granted on the basis of the submitted plans, which show the pergola extending the full length of the site between the main property and the detached outbuilding.
22. Condition 5 requires sections of the pergola to be submitted along with details of fixing locations and a detailed description or specification; but it does not explicitly require the location of the pergola to be amended. Because the pergola would be open ended, some views of the rear façade of the historic part of the building would be retained when moving towards the building from the courtyard, irrespective of the length of the pergola. There would inevitably be some loss of upward views towards the building and the tiled roof from beneath the pergola. However, this would only affect a small, transitory, area of the site; and those parts of the heritage asset would continue to be experienced from elsewhere within the courtyard. Consequently, and with regard to the principle of the works approved under the grant of the LBC, I find no justification to dismiss the details submitted pursuant to condition 5 in respect of the pergola's length and siting.
23. It is clear from the information submitted that the pergola is not proposed to be physically attached to the listed building but, rather, would be secured via ground fixings. On this basis, I am satisfied that no harm would be caused to the historic fabric of the building through the proposed fixing arrangements.
24. The notes on the submitted plans show that the pergola would be constructed with treated softwood posts, top rail, and boots; and a photograph has been provided to illustrate its appearance along with sections of key details. The Council has not raised any objection to the appearance of the pergola proposed; and I am satisfied that the details submitted are sufficient to describe the structure insofar as it is required by condition 5.
25. Overall, the details submitted address the requirements of condition 5 of the LBC. The principle of the pergola was established at the time the LBC was granted; and the details submitted are minor in nature and in accordance with those details. Consequently, and because the pergola would be detached from the historic fabric, the special architectural and historic interest of 27 Bell Street would be preserved, as would the character and appearance of the CA.

Details submitted pursuant to condition 6

26. I have seen correspondence between the parties in which it is explained that a new treated timber fence would be provided along the left side of the site. However, whilst the submitted details include some information about the proposed materials and finish of the structure, there is an absence of evidence to show its precise siting and dimensions. Furthermore, the correspondence I have seen seeks advice from the Council about the height of the fence, which remains undefined in the information submitted with the appeal.
27. The plans submitted with the original LBC application indicate that all external walls would be rendered white. However, the appeal submission does not include any further detail in relation to the walls as is explicitly required by condition 6, such that there remains uncertainty as to the precise dimensions and scale of the walls that are proposed as part of the permitted works.
28. The appellant has clearly sought to work with the Council to identify the additional information that would be required to discharge condition 6. However, without the necessary details in respect of the boundary treatments, there would be an insufficient basis from which the Council could secure and enforce the details of the fence and the walls in the immediate and the longer term.
29. Overall, and having regard to my duties under the Act, the submitted information fails to fully address the requirements of condition 6. This inhibits the proper consideration of the likely effects of the details on the special interest of the listed building and the character and appearance of the CA.

Conclusion

30. I have found the details submitted pursuant to conditions 4 and 6 do not meet the requirements of the conditions. It is clearly open to the appellant to address this through a revised submission to the Council that provides the full details necessary to discharge the conditions. However, I have necessarily considered the appeal with regard to the information that is before me at this time.
31. In conclusion, and for the reasons given above, the appeal should be allowed in part and dismissed in part. The appeal is allowed insofar as it relates to the details submitted pursuant to condition 5 but dismissed insofar as it relates to the details submitted pursuant to conditions 4 and 6.

E Catchside
INSPECTOR