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## Appeal Decision

Site visit made on 18 November 2025

by **Megan Thomas K.C. Barrister-at-Law**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 December 2025**

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**Appeal Ref: APP/J1915/D/25/3374714**

**Wyddial Bury Farm, Wyddial, Hertfordshire SG9 0EL**

- 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 Mrs Zara Fearson against the decision of East Hertfordshire District Council.
  - The application ref. is 3/25/0883/HH.
  - The development proposed is the conversion of an outbuilding to an annex, removal of covered store, infill carport with new external walls and alterations to fenestration.
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of an outbuilding to an annex, removal of covered store, infill carport with new external walls and alterations to fenestration at Wyddial Bury Farm, Wyddial, Hertfordshire SG9 0EL, in accordance with the terms of planning application ref.3/25/0883/HH, subject to the following conditions:
  - 1) The development hereby permitted shall be begun not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plan, no. 496 x 01A. No rooflights shall be inserted into the roof of the annex hereby permitted.
  - 3) The development hereby permitted shall not be used other than as part of the dwelling known as Wyddial Bury Farm and shall not be occupied as a separate dwelling or as independent residential accommodation.
  - 4) Prior to any above ground construction works being commenced, the external materials of construction for the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority, and thereafter the development shall be implemented in accordance with the approved details.
  - 5) All existing trees and hedges within or immediately adjoining the appeal site shall be retained. During works to implement the development hereby permitted, they shall be protected from damage in accordance with 'BS5837: 2012 Trees in relation to design, demolition and construction – Recommendations', for the duration of the works on site.

## **Procedural Matters**

2. In the description of development in the box heading above, I have used the description from the Decision Notice issued by the Council because it contains a fuller and more accurate description of what is proposed as part of the development. The appellant has submitted a revised plan (drawing no. 496 x 01A) to replace drawing 496 x 01. Owing to the fact that this has been seen by the Council and makes only minor changes to the fenestration in the proposed annex in response to the Council's internal reply to consultation from its Conservation and Urban Design team, I do not consider that anyone is prejudiced by the revised drawing being substituted in this appeal.

## **Main Issues**

3. The main issues in the appeal are the effect of the proposal on the setting and special interest of grade II listed Wyddial Bury Farm, and whether the proposed development would be satisfactorily related to, or reliant on, the main dwelling.

## **Reasons**

4. The appeal site includes a detached, single storey, weatherboarded outbuilding containing two stables, car ports, a garage and a covered outdoor storage area. It is in an L-shape and has a steeply pitched half-hipped slate roof. The site also includes a parking area, some further hardstanding and an access drive from the west gate into the estate.
5. The proposed annex would contain two bedrooms, a shower room with WC, and a living room. There would be a main door, two sets of patio doors and a number of windows. It would have timber-effect double glazed fenestration. No rooflights are proposed. The covered outdoor store would be removed.
6. The outbuilding is located about 30m south of Wyddial Bury Farm which is a grade II listed dwelling comprising a sixteenth century house with an attached range of ornamental Victorian brick-built farm buildings alongside Vicarage Road. The appeal building is not one of these latter brick-built farm buildings. It is not curtilage-listed nor is it a non-designated heritage asset.
7. On the opposite side of the road to the Farm is St Giles Church. The Farm was historically accessed from the north, through a gabled carriageway located between the house and the eastern agricultural buildings. This access remains useable, and vehicles can drive into the yard/parking area which serves the main house to the west. A new access to the estate was created in about 2011 and this stretches from a gateway in the western boundary across the wider site towards the eastern boundary from where it curves northwards past the appeal outbuilding and north towards the yard and gabled entrance way.
8. In considering this appeal I am mindful of the statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. I am also mindful of local policy and policy and advice in NPPF and NPPG.
9. The Listing entry describes a hall house with seventeenth and nineteenth-century alterations and includes a notable range of ornamental farm buildings. The setting is rural, comprising gardens, paddocks, and agricultural buildings. The heritage

significance of Wyddial Bury Farm lies in its sixteenth-century timber frame structure with later additions and its architecturally distinctive ornamental brick farm buildings. It is set within what was historically the village core opposite the Church.

10. The form, design and materials of the outbuilding, which is the subject of the appeal, give it an agricultural character which is in keeping with surrounding landscape, and grounds of the listed building. The proposed alterations and fenestration would increase the domesticity of the outbuilding, but this would not amount to harm. The slate roof would remain free of rooflights, one of the stable doors would remain a half timber faced design. The elevation facing north/towards the Farm would be breached by a modestly sized front door. The changes would not detract from the setting of the listed building – they would preserve it. Impacts would be neutral and harm non-existent. There would be no breach of policies HA1 or HA7 of the East Herts District Plan 2018 ‘DP’.
11. Turning to the second issue, it is policy HOU13 of the DP, which is most relevant and in particular paragraph (a) which states, so far as relevant, that residential annexes will be permitted where (a) the accommodation .... forms a separate outbuilding which is close to and well related to and have a clear functional link to the main dwelling.
12. In this case, the proposed access to the annex from the west gate is not exclusive access for the annex. It also serves as an access to the listed building. Similarly, the gabled access to the listed building can also serve the annex as the drive extends to the annex and past it to the west gate. Vehicles can pass freely either way.
13. The fact that there is a small brick wall, with a gap, some fencing and a grassed area stretching about 30m from the nearest part of the listed building to the annex does not break the existing functional link it has as stables and storage to the main house, and it is close enough to be a building which is part and parcel with the main house. The proposed annex is directly adjacent to the tennis court, and this is also clearly within the garden to the main house and has a functional link to the main house.
14. The proposed front door to the annex would be on the elevation facing the main house and is close enough to practically function as a residential annex, for example, as additional family member bedroom space. I therefore consider that it would be well related to and have a clear functional link to the main dwelling. In addition, a planning condition prohibits its use as anything other than use as part of the dwelling known as Wyddial Bury Farm.
15. Paragraphs (b) (c) and (d) of policy HOU13 are also fulfilled. The separate parking area for the annex does not break the functional link. None of the policies in the Buntingford Community Area Neighbourhood Plan 2014-2031 (made 2017) are breached.

## Conditions

16. The Council suggested some conditions in the event that the appeal was successful. I have considered these in the light of PPG. For the avoidance of doubt, I have imposed a condition which ties the permission to the approved plan. In order

to avoid the annex being used as an independent dwelling there is a condition requiring it only to be used as part of the main dwelling.

17. To ensure the amenity of nearby trees and hedges is continued, there is a condition requiring protection of them from damage during the carrying out of the works. The Council also suggested that these trees and hedges should be replaced if they became damaged or defective during the five years following the completion of the works, but I consider that that is not a reasonable requirement in this particular case because landscaping and screening of the annex are not pivotal factors in allowing the scheme to obtain permission. In order to preserve the setting of the listed building and ensure the annex is finished in appropriate materials there is a condition requiring the external materials to be approved by the Council and to be used on the annex.

### **Conclusion**

18. Having considered all representations made, for the reasons given above, I allow the appeal.

*Megan Thomas K.C.*

Inspector