



Appeal Decision

Site visit made on 10 December 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 21st January 2026

Appeal Ref: APP/P1560/W/25/3369466

St Osyth Priory, The Bury, St Osyth, Essex CO16 8NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by St Osyth Priory Estate Limited against the decision of Tendring District Council.
 - The application Ref is 24/01562/VOC.
 - The application sought planning permission for variation of condition 2 of approved application 17/01175/FUL to allow amendments to the elevations and layout of Phase 2 without complying with conditions attached to planning permission Ref 18/01166/FUL, dated 18 April 2019.
 - The conditions in dispute are Nos 2, 3 and 4 which are set out at the end of this decision in the attached Appendix along with the reasons given for the conditions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (Act) requires special regard to be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition, Section 72(1) of the Act requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. I have had regard to these statutory duties in my assessment of this appeal.
3. In December 2025 the Government published a consultation National Planning Policy Framework (Framework): proposed reforms and other changes to the planning system which sets out proposed reforms to the Framework along with other changes to the planning system. The consultation was accompanied by a Written Ministerial Statement (WMS). Since there is no certainty that any proposed changes to the Framework would be implemented in their proposed form, I attribute very limited weight to this matter.

Background and Main Issue

4. Planning permission was granted in 2016 for the creation of 72 no. two, three and four bedroom houses, plus associated roads, car parking, garages and landscaping. The development was implemented and came to be known as West Field as the dwellings are mostly accessed from a road known as West Field Lane.

In 2019 planning permission¹ was granted which allowed amendments to the elevations and layout of Phase 2.

5. The garage doors that have been installed across the site are metal doors and are not in accordance with the 2019 approved permission which included timber garage doors.
6. In 2025 planning permissions² were granted for some of the installed metal garage doors. In effect, all the garage doors across the West Field development, except for 6 garage doors in cart lodges D and E of the northeast courtyard, now benefit from planning permission.
7. The appeal seeks permission to carry out the development without complying with conditions 2, 3 and 4 of the 2019 permission which relate to plans and materials. Given the 2025 planning permissions, the main issue is:
 - the effect of the 6 garage doors on cart lodges D and E on the setting of nearby heritage assets and whether they preserve or enhance the character or appearance of St Osyth Conservation Area (CA).

Reasons

SCHEDULED MONUMENT

8. The Remains of St Osyth's Priory including the ruinous sections of a mid-C16 mansion is a scheduled monument and comprises a historic site of exceptional significance recognised in its multiple heritage designations.
9. St Osyth's Priory was a house of Augustinian canons founded c.1120. By 1161 the priory had become an abbey dedicated to Saints Peter and Paul, and St Osyth. The abbey prospered and the surviving buildings from the late C15 including the gatehouse and Abbot's Lodging attest to its wealth. These particular elements do not appear to be included in the scheduling but are Grade I listed and will be addressed later in my decision.
10. Following the abbey's surrender to the crown the 1st Lord Darcy made a number of significant alterations and extensions. These include the addition of Darcy Tower. Further alterations were made by the 2nd Lord Darcy in around 1600 and by subsequent owners in the following centuries.
11. As such, St Osyth's Priory has exceptional historic and evidential value because it illustrates past monastics uses of over 400 years, and post-monastic activities including the construction of Darcy Tower which is the only complete building to form part of the scheduling.
12. Given the above, I find the significance of the scheduled monument, insofar as it relates to this appeal, to be the legibility and fabric of its medieval monastic phase as well as its later phases as a high-status dwelling.
13. The cart lodges lie in the northeast courtyard of the West Field development. The garage doors are not visible from the scheduled monument. However, they can be seen in views from West Field Lane facing towards St Osyth's Priory. In particular, Darcy Tower can be seen in the same view as the garage doors at cart lodges D

¹ Council reference: 18/01166/FUL

² Council reference: 25/00672/VOC and 25/00674/VOC

and E. As such, given the proximity of the garage doors to the scheduled monument, they lie within the setting of the heritage asset.

14. The setting, insofar as it relates to the appeal, is predominantly characterised by the semi-rural nature of the surroundings and the traditional style of vernacular architecture in the West Field development.
15. The garage doors are metal and dark grey in colour. They have a uniform and utilitarian appearance that erodes the traditional character of the setting of the scheduled monument. Although the Appellant considers the cart lodges to be agricultural in appearance, given their scale and function for parked vehicles and the close relationship with surrounding dwellings, I consider the cart lodges to have a traditional residential character. The metal garage doors detract from the finely detailed architecture of the houses of the West Field development and erode the pleasant traditional character of the setting of the scheduled monument. This effect can be seen in a number of views including those where the historic fabric of Darcy Tower is visible the background.
16. Accordingly, the metal garage doors of the cart lodges D and E fail to preserve the significance of the scheduled monument.

GRADE I LISTED BUILDINGS

St Osyth's Priory ruined east ranges of the Darcy House including the Tower and Chapel

17. The remains of the Darcy House, including Darcy Tower, chapel and the ruined east ranges including the section between the Abbot's Lodging and the tower, are listed at Grade I. The significance of these listed buildings, insofar as they relate to this appeal, lies the survival of medieval monastic buildings and the later post-dissolution fabric that include finely executed architectural details.

St Osyth's Priory: The Abbot's Lodging and South Wing, the Darcy Clock Tower and C18 House (formerly listed as the Convalescent Home).

18. The Abbot's Lodging was originally built by Abbot Vyntoner in 1527. The South Wing was partially rebuilt in the mid-16th century when the Clock Tower was added. Later additions include the 18th Century house by the 3rd Earl Rochford. The buildings were remodelled and extended by Sir John Johnson in the 1860s.
19. Given the above, the significance of the listed building, insofar as it relates to this appeal, lies in the evidence of its monastic origins and the evolution of the structures post-Dissolution.

St Osyth's Priory, Gatehouse and East and West flanking Ranges

20. The Gatehouse is the most prominent monastic building on the site. It was built as the new main entrance to the monastic complex in the late-15th century. The Gatehouse and West Range which also dates to the late 15th century were converted to residential use in the mid-20th century. The Gatehouse, East Range and exterior of the West Range have a high degree of intactness, and its architectural interest includes finely detailed carved stonework and gate-hall vaulting.

21. Accordingly, the significance of this listed building, insofar as it relates to this appeal, lies in the evidence of prominent monastic medieval architecture.

Effect on Grade I listed buildings

22. The metal garage doors have wide horizontal panels and a uniform surface that result in a utilitarian character. This effect is primarily seen in close range from West Field Lane, where Darcy Tower, the Abbot's Lodging and part of the Gatehouse can be seen in the backdrop. Therefore, they detract from the traditional residential character of the area. As such the garage doors adversely affect the pleasant vernacular setting of these listed buildings, thereby diminishing their significance.

GRADE II* LISTED BUILDINGS

St Osyth's Priory boundary walls (Boundary Walls)

23. The fabric of the Boundary Walls is of varying quality and date, and retain monastic and later fabric with finely executed detailing and craftsmanship of both medieval and post-medieval date. As such, the significance of the boundary walls, insofar as they relate to this appeal, lie in the evidence of historic monastic use as well as the later phases.

St Osyth's Priory: West Barn and Baliffs Cottage (West Barn)

24. The West Barn and Bailiffs Cottage largely date from the 16th century and comprise outbuildings incorporating monastic fabric and was remodelled in the 16th and 19th centuries. The significance of these listed buildings, insofar as they relate to this appeal, lies in the monastic origins and evidence of later post monastic phases.

St Osyth's Priory, Tithe Barn adjoining the west range of Gatehouse (Tithe Barn)

25. The barn forms part of the remodelling of the Priory by the first Lord Darcy and retains its timber construction and details specific to the period. Accordingly, its significance lies in its 16th century origins and evidence of historic fabric.

Effect on the Grade II* listed buildings

26. The Boundary Walls and West Barn are visible in views with the garage doors. Therefore, the industrial appearance of the metal garage doors and the resulting harm to the traditional residential character of the area detract from the pleasant setting of these listed buildings, thereby diminishing their significance.
27. Tithe Barn is not readily discernible in views with the garage doors. Therefore, any harm to the setting of this listed building does not harm its significance.

GRADE II LISTED BUILDINGS

28. St Osyth's Priory, Brewhouse and wall between Brewhouse and West Barn (Brewhouse) dates from the 16th century with later alterations. St Osyth's Priory Stable Block (Stable Block) adjacent to West Barn retains a significant proportion of 18th century fabric.
29. Their significance lies in the evidence of their early and evolving function over several centuries and their contribution to the evolution of the Priory complex.

30. These Grade II listed building can be partially seen views with the garage doors. The harm to the setting of these heritage assets that result from the industrial appearance of the metal garage doors detract from their significance.

Other Grade II listed buildings

31. There are number of other Grade II listed buildings within the St Osyth Priory complex. These are St Osyth's Priory Cartlodge adjacent to West Barn; St Osyth's Priory Urn and Pedestal in courtyard approximately 50 metres north of Gatehouse; St Osyth's Priory: Garden Walls located to the east and west of the Rose Garden, south of the Darcy Wall; St Osyth's Priory urn and stone pedestal approximately 50 metres north east of the abbots lodging; St Osyth's Priory pump approximately 20 metres west of cottage listed QV14/190; Kitchen garden walls and attached bothies north-east of St Osyth's Priory; St Osyth's Priory Drying House and St Osyth's Priory ornamental steps flanked by urns in courtyard approximately 100 meters north of gatehouse.
32. The significance of these buildings, insofar as they relate to the appeal, lies in their group value in demonstrating the evolution of the St Osyth Priory estate including interventions by Lord Darcy and others post-Reformation. These heritage assets are largely screened from view when seen with the garage doors such that their significance is not harmed.

ST OSYTH'S PRIORY GRADE II REGISTERED PARK AND GARDEN (RPG)

33. As set out in the listing for the park and garden, the designed landscape reflects the multi-phased history of the Priory and its estate, contributing to the national historic importance of this site. It is predominantly 19th century in character but retains elements of monastic, post-monastic and 18th century arrangements. Of these The Green, Nun's Wood and formal gardens to the south and east of the Abbot's tower and Darcy House ruins are particularly significant.
34. Accordingly, the significance of the registered park and garden, insofar as it is relevant to this appeal, lies in its monastic origins and the evidence of landscape design in the post-monastic phases. As the RPG lies to the north and east of the cart lodges, the cart lodges are within the setting of the heritage asset. The traditional character of the West Field development provides a positive contribution to the setting of RPG.
35. The RPG forms a backdrop to the West Field development and is experienced along the West Field Lane from which the garage doors are visible. The part of the RPG that lies to the north of the cart lodges are at an angle to the garage doors. However, the RPG nonetheless provides a significant backdrop to the cart lodges and is experienced from similar positions along West Field Lane as where the garage doors are seen. The part of the RPG within which the scheduled monument and listed buildings lie generally contain the formal gardens that are referred to in the listing. As these are sited behind the boundary wall and listing buildings, this part of the RPG is not visually prominent in the same views as the garage doors.
36. The metal garage doors nonetheless detract from the high quality traditional character of the setting of the northern parts of the RPG. Accordingly, the garage doors adversely affect the setting of the RPG and the way it is experienced such that they harm its significance.

ST OSYTH CONSERVATION AREA

37. The site lies within St Osyth Conservation Area (CA). The draft St Osyth Conservation Area appraisal indicates that the site is proposed to be excluded from the conservation area. However, as there is no certainty with respect to whether the appraisal would be adopted in its current form or when, I have assessed the scheme on the basis that the site lies within the St Osyth CA.
38. As set out in the adopted St Osyth Conservation Area Appraisal and Management Plan (CAA), St. Osyth is a large and diverse conservation area which embraces the Priory and Park and the adjacent village. The Priory is central to the Conservation Area, especially prominent being the gatehouse, the Abbot's Tower, the boundary walls and the park. Accordingly, the significance of the CA lies in the way the area has developed from a medieval settlement and the evidence of its monastic history at the Priory as well as the vernacular architecture from a range of historic periods.
39. The metal garage doors would be seen in a number of views along West Field Lane. There are examples of metal garage doors and other modern materials such as UPVC window frames in other parts of the conservation area. There may not be mention of garage doors in the CAA, and I note the evidence regarding the inclusion of the area in the conservation area. I also acknowledge the evidence regarding permitted development rights. While modern materials may have been permitted within settings of other heritage settings, the examples provided by the appellant including those in Hertfordshire and Bromsgrove do not appear to relate to St Osyth's CA and are therefore not directly comparable with this appeal.
40. The utilitarian appearance of the metal garage doors appears discordant against the traditional finely detailed residential character of the West Field development. While not in key views noted in the CAA, given its proximity to St Osyth's Priory, and that there are views of the Priory buildings such as Darcy Tower from the West Field development, the garage doors harm the character of an important part of the CA. Therefore, the garage doors do not preserve the character and appearance of the CA as a whole and harms its significance.

Planning balance

41. Paragraph 212 of the National Planning Policy Framework (Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
42. The harm with respect to the scheduled monument, Grade I listed buildings, Grade II* listed Boundary Walls and West Barn, and CA would be at the lower end of the less than substantial spectrum, given the limited scale of the doors and partial visibility of these heritage assets in view with the doors.
43. The harm with respect to the Grade II listed Brewhouse, Stable Block and RPG would be at the far low end of the spectrum as the less significant parts of the RPG and limited parts of these Grade II listed buildings can be seen in views with the garage doors.
44. Given that scheduled monuments are assets of the highest significance, and the considerable importance of the other heritage assets discussed above, I attach great weight to the harm.

45. In accordance with paragraph 215 of the Framework this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
46. The Appellant has put forward a number of public benefits including the durability of the metal garage doors compared with the approved timber doors. I note the evidence regarding the cost of maintenance of timber doors, and the appearance of timber garage doors that are not maintained. However, any financial saving in this respect does not constitute a public benefit.
47. Overall, there are no public benefits in the terms claimed by the appellant and any benefit including securing optimum viable use that would outbalance the harm found to the significance of the scheduled monument, Grade I, II* and II listed buildings, RPG and CA.
48. Consequently, the garage doors harm the significance of the scheduled monument, RPG and listed buildings and fail to preserve or enhance the character or appearance of the CA. Therefore, the scheme conflicts with Policies SPL3, PPL8 and PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 Adopted 25th January 2022 (LP) which seek, among other things, that the design of the development maintains or enhances important existing site features of heritage value, preserve or enhance the special character and appearance of the conservation area and registered parks and gardens, and protect the special interest of listed buildings.

Conclusion

49. For the reasons given above, the proposal would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR

Appendix

2) The development hereby permitted shall be carried out in accordance with the approved plans;

CC-0175-WFSP-01,
OC002-03-01 REV U,
OC002-03-02 REV M,
OC002-03-03 REV H,
OC002-03-03 REV M,
CC-0175-WFD-HT01
CC-0175-WFD-HT02
CC-0175-WFD-HT03
CC-0175-WFD-HT04
CC-0175-WFD-HT05
CC-0175-WFD-HT06
CC-0175-WFD-HT07
CC-0175-WFD-HT08
CC-0175-WFD-HT09
CC-0175-WFD-HT10
CC-0175-WFD-HT11
CC-0175-WFD-HT12
CC-0175-WFD-HT13
CC-0175-WFD-CP02
CC-0175-WFD-CP03
CC-0175-WFD-CP04
CC-0175-WFD-CP05
CC-0175-WFD-CP06
CC-0175-WFD-CP07
CC-0175-WFD-GT01
CC-0175-WFD-GT02
CC-0175-WFD-GT03
CC-0175-WFD-GT04
CC-0175-WFD-GT05
CC-0175-WFD-GT06
CC-0175-WFD-GT07
CC-0175-WFD-GT08
CC-0175-WFD-GT09
CC002-50-15 REV E
CC002-50-15A REV D
CC002-50-16 REV F
CC002-50-16A REV F
CC002-50-17 REV F
CC002-50-17A REV H
CC002-60-03 REV B
CC002-60-04 REV C
(03)200 REV B
(03)201 REV C
CC 0175 WF-L3 A
CC-0175-WF-L-1
CC-0175-WF-L-2
CC-0175-WF-L-4
CC-0175-WF-L-5

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) The materials to be used in the construction of Phase 1 only shall be in accordance with the details shown on approved drawing no. OC002-03-03 REV H;

Reason: To ensure the development, as far as possible, respects, conserves and enhances the special historic and architectural character of the St Osyth Conservation Area and the setting of St Osyth Priory as a heritage asset.

- 4) The materials to be used in the construction of Phase 2 shall be in accordance with the details shown on approved drawing no OC002-03-03 REV M.

Reason: To ensure the development, as far as possible, respects, conserves and enhances the special historic and architectural character of the St Osyth Conservation Area and the setting of St Osyth Priory as a heritage asset.