
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/25/3373571

Marketing Suite, West Field Lane, St Osyth CO16 8EJ

- 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 St Osyth Priory Estate against the decision of Tendring District Council.
 - The application Ref is 24/01621/FUL.
 - The development proposed is described as, 'conversion of sales and marketing suite to 2-bed dwelling under C1 use'.
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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. 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.

Main Issue

4. The main issue is the effect of the development on the setting of nearby heritage assets and whether it preserves or enhances the character or appearance of St Osyth Conservation Area.

Background and Reasons

5. The marketing suite is a single storey building with pitched roof and wooden cladding along with a wooden pergola. It was constructed on a temporary basis as a marketing suite for the sale of properties within the West Field development located to the west. This appeal seeks the retention of the building on a permanent basis for use as a holiday let under Use Class C1.

SCHEDULED MONUMENT

6. 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.
7. St Osyth's Priory was a house of Augustinian canons founded in around 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 15th century 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.
8. Following its 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.
9. As such, St Osyth's Priory has exceptional historic and evidential value because it illustrates past monastic 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.
10. Given the above, I find the significance and special interest of the scheduled monument, insofar as it relates to this appeal, to be the legibility and fabric of its medieval phase as well as its later phases as a high-status dwelling. Given the proximity of the marketing suite to the scheduled monument, it lies within its setting.
11. The marketing suite lies within an area to the west of the scheduled monument that is largely undeveloped. Further to the west is the West Field housing development. Accordingly, the strip of open landscape within which the site is located, provides an important open buffer between the Priory and the housing estate. It reinforces the semi-rural context of the Priory and the primacy of the scheduled monument in the surrounding area.
12. The marketing suite, while single storey, can be seen in numerous views along West Field Lane which forms part of the access to the scheduled monument. The building introduces substantial built development into the otherwise open and spacious landscape adjacent to the scheduled monument. Accordingly, the marketing suite urbanises its site and appears as an encroachment into the open setting of the scheduled monument.
13. The scheduled monument is visible in a number of views along West Field Lane. Darcy Tower in particular can be seen in these views with the marketing suite. As such, while the marketing suite may not appear prominent when viewed from the scheduled monument, the urbanising effect is apparent in views of the building where the scheduled monument forms a backdrop. Therefore, the significance of the scheduled monument is diminished by the presence of the marketing suite.
14. I note the evidence regarding historic agricultural buildings in the area. However, given the housing development to the west, the marketing suite harmfully erodes the open character of the largely undeveloped land that now remains to the west of the scheduled monument.

15. Although the car park near the marketing suite appears to benefit from planning permission and would therefore remain, the building nonetheless urbanises the area to the west of the Priory. As such, the building erodes the open character of the setting of the scheduled monument and diminishes its primacy in several views, thereby detracting from its significance and special interest.

GRADE I LISTED BUILDINGS

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

16. 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 and special interest of these listed buildings, insofar as they relate to this appeal, lies in 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).

17. 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.
18. Given the above, the significance and special interest 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

19. The Gatehouse is the most prominent 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.
20. Accordingly, the significance and special interest of this listed building, insofar as it relates to this appeal, lies in the evidence of prominent monastic medieval architecture.
21. Given the proximity of the marketing suite to these listed buildings, the building lies in their setting. The largely undeveloped, open spacious character of the wider strip of landscape that the building is in provides a pleasant buffer between the listed buildings and the West Field development. It therefore provides a positive contribution to the setting of the listed buildings.

Effect on Grade I listed buildings

22. Darcy Tower, parts of the Abbot's Lodging, the Darcy Clock Tower and the Gatehouse in particular can be seen in views from around the marketing suite including from West Field Lane.

23. The urbanisation of the site and encroachment of built form into the landscape, that has resulted from the erection of the marketing suite, harms the open setting of the listed buildings and erodes their significance and special interest.

GRADE II* LISTED BUILDINGS

St Osyth's Priory boundary walls (Boundary Walls)

24. 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)

25. The West Barn and Bailiffs Cottage 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)

26. The barn forms a significant 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 Grade II* listed buildings

27. Given the proximity of the marketing suite to these Grade II* listed buildings, it lies within their setting. Parts of the Boundary Walls, West Barn and Tithe Barn can be seen in several views from the marketing suite and surrounding area. The open space surrounding the marketing suite lie adjacent to the Boundary Walls which define part of the extent of the Priory.
28. The encroachment into the landscape and urbanisation of the site that has resulted from the erection of the marketing suite is visible in views from West Field Lane where the Grade II* listed buildings form a backdrop. The open character of this section of landscape is eroded by the marketing suite, and the setting and significance of these listed buildings are diminished as a result.

GRADE II LISTED BUILDINGS

29. St Osyth's Priory Cartlodge adjacent to west of barn (Cartlodge) has 18th century origins with a timber framed structure. 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 adjacent to north west of barn (Stable Block) retains a significant proportion of 18th century fabric.
30. The significance of these Grade II listed buildings lie in their contribution to the evolution of the Priory complex and the evidence of their early and evolving function over several centuries.
31. The above Grade II listed buildings can be partially seen in views with the marketing suite. The marketing suite encroaches into the landscape and this effect can be

seen from across the adjacent open landscape and in views with the listed buildings. Therefore, the marketing suite harmfully erodes the setting of these heritage assets and detracts from the significance of these listed buildings.

OTHER GRADE II LISTED BUILDINGS

32. There are number of other Grade II listed buildings within the St Osyth Priory complex. These are 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.
33. 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 from the marketing suite and of a small scale such that the setting and significance of these heritage assets are not harmed by the scheme.

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

34. As set out in the listing for the park and garden, the designated 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.
35. 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.
36. The RPG is visible in several views near the marketing suite and given the proximity of the building to the RPG, it lies within its setting. The open landscape within which the building is sited provides a pleasant spacious setting adjacent to the RPG and contributes positively to its significance. The encroachment of the landscape by the introduction of the marketing suite harms the spacious character of the setting of the RPG and diminishes its significance.

ST OSYTH CONSERVATION AREA (CA)

37. 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.
38. The marketing suite and adjacent open landscape lies within the CA. This area provides a pleasant open landscape within the CA from which to view the heritage

assets. In addition, it serves as an important buffer between the Priory and the West Field development. The marketing suite, given its size, form and location, urbanises the site, encroaches into the landscape and has an incongruous effect on the open character of this strip of land. Given the importance of the Priory in the CA, the erosion of this landscape by the introduction of the marketing suite harmfully diminishes its significance.

39. While the adjacent car park may benefit from planning permission and be retained, the building nonetheless encroaches into the landscape. Although the building's form and timber cladding is generally in keeping with the architecture of the surrounding area, the use of UPVC framed doors and windows appears discordant when viewed against the finely detailed West Field development. This exacerbates the incongruous effect of the development on the pleasant character of the landscape.
40. Consequently, the scheme fails to preserve the character and appearance of St Osyth Conservation Area and harms its significance.

Planning balance

41. Paragraph 212 of the 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 and Grade II* listed buildings is less than substantial given the scale of the scheme. The harm is at the lower end of the spectrum, given the visibility of these heritage assets in views with the marketing suite.
43. The harm with respect to the Grade II listed Cartlodge, Brewhouse and Stable Block and the Grade II listed registered park and garden would be at the far lower end of the less than substantial harm spectrum given the limited visibility of these heritage assets in views with the marketing suite.
44. The harm to the conservation area would be at the low end of the less than substantial spectrum given the scale of the scheme and location near to the Priory which forms a significant part of the CA.
45. Given the importance of these heritage assets and their group value, I attach great weight to these harms. 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 indicated that the holiday let use constitutes enabling development as it generates funds for the restoration of St Osyth Priory. The marketing suite acts as guest accommodation for the Priory which is now a wedding and events venue with bed and breakfast accommodation. The updated business plan¹ details the income from the bed and breakfast accommodation which includes the marketing suite and I acknowledge the funds raised by the use of the holiday let since this use began.

¹ St Osyth Business Plan Aug-22 Draft Update Summary of Changes
Revised Feb-23 after comment from TDC and CDM Project Services

47. The previous business plan may have concluded that further enabling development would be required and I note that the targets set out in the business plan have not been achieved. However, the business plan before me does not set out the contribution that the profit made from the holiday let use of the appeal building makes to the overall income, nor does the evidence set out detail on how the profit would be used other than to reduce the conservation deficit in general terms.
48. The Appellant has indicated that the revenue that the guest accommodation will provide is critical to the long-term viable use of St Osyth Priory, However, further detail is not provided. Accordingly, it has not been demonstrated that the preservation of the heritage assets at the St Osyth Priory estate would be at risk without this income. In addition, the continued viable use of the heritage assets as an events venue is not dependent on the scheme as this use would not cease in its absence.
49. The holiday let use would retain an existing building and support the long term conservation of the heritage assets as a whole. As the financial contribution the use would make to the conservation of the heritage assets has not been sufficiently quantified, I attribute limited weight to this as a heritage benefit.
50. As such, the public benefits in the terms claimed by the appellant and any benefit including securing optimum viable use do not outbalance the great weight attached to the harm found to the significance of the scheduled monument, Grade I, II and II* listed buildings, RPG and CA as detailed above.
51. Consequently, the marketing suite harms the significance of the scheduled monument, the listed buildings noted above and RPG and fails to preserve or enhance the character or appearance of the CA. Therefore, the scheme fails to satisfy the requirements of the Act, and 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.

Other Matters

52. I note the comments of the Inspector for the appeal at West Mersea. While that scheme relates to the retention of a sales suite building and its conversion to a residential annex, as it does not appear to relate to heritage assets, it is not directly relevant to this appeal and has not altered my overall decision.

Conclusion

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

RSabu INSPECTOR