



Appeal Decision

Site visit made on 13 January 2026

by A Phillips MPlan BA CertHE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2026

Appeal Ref: APP/C1570/W/25/3375830

Land adjacent Sawkins Cottage, Broad Green, Chrishall, Hertfordshire SG8 8QR

- 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 Ian Pitfield against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0666/FUL.
 - The development proposed is erection of 1no. Self-Build Passivhaus dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant was seeking comments on the draft unilateral undertaking (UU) from the Council on the 20 January 2026. I received a final version of the UU on the 23 January 2026, with the Council copied in. I have made my decision based on this final version.
3. The appellant also provided clarification on missing appendices, as well as providing a copy of a previous appeal decision on the site.

Main Issues

4. While there are two reasons for refusal, there is a significant amount of crossover between the two. On this basis I have considered these as one main issue. The main issues are the effect of the proposed development on the setting of nearby listed buildings, as well as the character and appearance on the local area.

Reasons

5. I have considered the duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The Act contains duties whereby special regard should be given to the desirability of preserving listed buildings, their setting or any features of special architectural or historic interest which it possesses.
6. The site is located within the garden of Sawkins Cottage, which is a grade II listed building. It is a one and a half storey thatched dwelling, with later additions to the rear of the building. There are also outbuildings, with two being at the front of the site. The front outbuildings are a one and a half storey thatched building and a modern single storey black timber with pantiles. The significance of this heritage asset comes from its historic architectural appearance, which is primarily the thatched element of the dwelling. The setting of Sawkins Cottage also benefits from an undeveloped spacious garden that positively links to the wider rural character of

the area. From the evidence before me the site, defined by the red line, has no record of built form.

7. To the south of the site is the grade II listed building of Green End, though now known as Green Den. I acknowledged that there are outbuildings within the curtilage including one that appears to be an annexe adjacent to the boundary with the appeal site.
8. I have also noted the grade II listed buildings of Broadgreen Farmhouse, the cottage approximately 60 yards north east of Broadgreen Farmhouse (The Cottage), pump approximately 90 yards of north east of Broadgreen Farmhouse (the pump) and Tow Cottages. From the appellants Heritage Impact Assessment and my site visit I have noted that excluding the pump these building have all been altered and extended, with what appeared to be early work to extend The Cottage.
9. The overall character and appearance of the street is traditional. Of specific relevance to this appeal is that many of the dwellings have dormers of different styles and the dwellings are a mix of two and one and a half storey.
10. The proposal is seeking a one and a half storey dwelling, with a contemporary appearance that is approximately the same height as Sawkins Cottage. The proposed dwelling would sit slightly forward of Sawkins Cottage. In addition, a proposed single storey outbuilding would be located to the front of the proposed dwelling.
11. I have noted the previous appeal¹ on the site where the Inspector dismissed a proposal for a single storey dwelling. The Inspector noted that the proposal would introduce built form with significant massing that would greatly diminish the spacious quality of the area, as well as setting of Sawkins Cottage. The Inspector also noted that the proposed outbuilding near the access while of similar scale to comparable nearby outbuildings would further harm the setting of Sawkins Cottage. From the evidence before me, whilst the two schemes are of different designs, they are comparable. At the time of this previous appeal it is also noted that the Council could not demonstrate a five year supply of deliverable housing sites, which it still cannot demonstrate. On this basis I have given this previous appeal significant weight in my determination.
12. From the submitted documents the proposal, whilst having a smaller footprint than the previous dismissed appeal, is still of significant size that would accommodate three double bedrooms, two entrance hallways, utility room, study, two bathrooms and plant room on the ground floor. The proposal is also set forward and has approximately the same height as the listed building of Sawkins Cottage. I am also of the same view as the previous Inspector in that whilst the proposed building to the front is of similar appearance to others within the local area, it further adds built form on the site. The proposal would significantly reduce the spacious rural setting and quality around Sawkins Cottage.
13. Whilst the design of the dwelling is of a contemporary appearance, it is a design that creates a juxtaposition with the traditional architecture of the street scene. The quality of the design prevents there being any additional harm to the setting of Sawkins Cottage. Paragraph 131 of the National Planning Policy Framework

¹ APP/C1570/W/20/3265779

(Framework) requires high quality design, on this basis meeting this requirement is a neutral factor.

14. While the proposal would preserve much of the mature landscaping around the site, the long term preservation of this landscaping could not be guaranteed and does not change the overall loss of open rural space that positively contributes to the listed building.
15. It is noted that there is a modern outbuilding in between the proposal and the heritage asset of Green Den, this prevents the proposal having a negative impact on this listed building. The distance to the other listed buildings would prevent the proposal affecting the setting of any other heritage assets along this street.
16. Therefore, the proposal undermines the significance of the listed building of Sawkins Cottage. It follows that the proposal does not preserve or enhance the setting of a listed building. On this basis the proposal does conflict with the expectations of the Act.
17. In terms of the Framework for similar reasons, the proposal causes less than substantial harm to the significance of the designated heritage asset of Sawkins Cottage.
18. Paragraph 215 of the Framework states that in these circumstances this harm should be weighed against the public benefits of the proposal. The public benefits of the scheme are an additional self build dwelling in a district that lacks a five year supply of deliverable housing sites and a shortfall in self build/custom build sites. While the proposal only provides a single dwelling, this is a moderate public benefit given the Council's ongoing lack of housing supply. The economic benefits from the construction of the dwelling are short term and on this basis is given limited weight. There would also be limited public benefits from future occupants supporting local services and facilities. The high level of sustainability from the proposed dwelling meeting Passivhaus standards and biodiversity improvements would have a limited public benefit. These public benefits do not outweigh the great weight given to the harm to the setting of Sawkins Cottage, as indicated in the Framework.
19. Overall, the proposal conflicts with national policies that seek to protect the historic environment.
20. I conclude that the proposal harms the setting and significance of Sawkins Cottage. On this basis the proposal does not comply with Policy ENV2 of the Uttlesford Local Plan 2005 (Local Plan), which seek to ensure the setting of listed buildings is not adversely affected.
21. The proposal while having an acceptable design in isolation, its overall scale and siting would harm the host property of Sawkins Cottage. On this basis it does not comply with Policy GEN2 of the Local Plan.
22. Policy S7 Local Plan states that 'In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area...There will be a strict control on new building'. It is firstly noted that the Council recognises that this policy is not fully consistent with the Framework in that the Local Plan policy is restrictive, while the Framework is positively worded. With the proposal leading to harm to the rural

character by infilling a gap in built form the proposal does not comply with this policy, though I have given this policy limited weight in my determination.

Other Matters

23. Several appeal decisions have been submitted as part of the appellant's appeal statement. However, there are significant material differences in this appeal decisions to what is before me. These material differences stem from either the size of the proposal and/or the main issues. Therefore, I have attached only limited positive weight to them.

Planning Balance

24. As detailed above there would be less than substantial harm to the grade II listed building of Sawkins Cottage and I have determined that the public benefits do not outweigh this harm. Therefore, the proposal does not comply with paragraph 11 (d)(i) as the harm to heritage forms a strong reason for refusal.
25. It should be noted that the weight if any, which should be given to a particular consideration is a matter for the decision maker's discretion².
26. I have noted the Ministerial Statements and the requirement to build. However, the requirements of the Framework and the Act as identified above have provided clear substantial reasons to dismiss this appeal.

Conclusion

27. For the reasons given above the appeal should be dismissed.

A Phillips

INSPECTOR

² Tesco Stores Ltd v Secretary of State for the Environment & Ors [1995] UKHL 22 (11 May 1995)