

UTT/21/1812/LB

(Call In if recommended for Refusal by Cllr Oliver)

PROPOSAL: Proposed single-storey Oak Frame rear extension.

LOCATION: Watts Folly, Wenden Road, Arkesden CB11 4HB

APPLICANT: Mr & Mrs Hawkins

AGENT: Mr N Preston / Ian Abrams Architect Limited

EXPIRY DATE: 23 Jul 2021

CASE OFFICER: Mr Avgerinos Vlachos

1. NOTATION

- 1.1 Outside Development Limits.
Listed Building (Watts Folly – Grade II).
Within Conservation Area (Arkesden CA).
Tree Preservation Order (Birch).
Within Flood Plain Zone 2.
Within Flood Plain Zone 3.
Within Flood Zone 3a + Climate Change.
Within Flood Zone 3b.
Road Classification (Church Hill/Wenden Road – Class III).
Within 250m of Local Wildlife Site (Green Man Meadows).

2. DESCRIPTION OF SITE

- 2.1 The application site comprises a 1.5-storey detached dwelling (Grade II listed since 1980) of C17 origin and L-shaped form, timber framed and plastered under a thatched roof and located outside development limits in Arkesden. Boundary treatments include some post and rail fencing and hedging. The site is part of the Arkesden Conservation Area, located in a corner and prominent location within the village. There are neighbouring dwellings to all sides of the site. The overall area contains several listed buildings of varying architectural styles, materials, ages and sizes. Existing parking arrangements include 3 no. parking spaces to the front driveway, plus a garage.

3. PROPOSAL

- 3.1 The proposal includes:
- Single-storey oak-frame rear extension;
 - Materials (see Application Form, Heritage Statement, Design and Access Statement, and submitted drawings).

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

- 5.1 The application includes the following documents:

- Photographs
- Heritage statement
- Design and access statement
- Ecological survey
- Flood risk assessment
- Biodiversity checklist.

6. RELEVANT SITE HISTORY

- 6.1
- **UTT/21/0671/HHF** and **UTT/21/0672/LB** – Proposed single-storey Oak Frame rear extension.

Refused (19.04.2021):

1. The impact of the proposal on the heritage asset will be harmful to the historic fabric, form and character of the building, and as such the proposal fails to accord with ULP Policy ENV2 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2019 (the level of harm to the listed building is considered to be 'less than substantial' as per paragraph 196).
 2. The proposed development by virtue of its scale and size does not enhance and preserve the character of the Conservation Area and is disproportionately large in relation to the host dwelling. The development therefore does not accord with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan 2005 or with sections 12 and 16 of the NPPF 2019.
 3. The application does not provide sufficient information or evidence to demonstrate that the proposals would not adversely affect protected species, namely bats, great crested newts and reptiles. Therefore, it is not possible to fully assess the potential impacts of the development under the statutory duties contained in the 2010 Habitats Regulations, under s40 NERC Act 2006 and S17 of the Crime and Disorder Act 1998. Insufficient information has been submitted in regards to protected species and as such is contrary to ULP Policy GEN7 of the Uttlesford Local Plan 2005 sections 174 and 175 of the NPPF 2019 and the statutory duties imposed on local planning authorities.
- **UTT/20/3266/HHF** and **UTT/20/3267/LB** – Proposed single-storey glazed Oak Frame extension and link to the rear.

Refused (15.02.2021):

1. The impact of the proposal on the heritage asset will be harmful to the historic fabric, form and character of the building, and as such the proposal fails to accord with ULP Policy ENV2 and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF 2019 (the level of harm to the listed building is considered to be 'less than substantial' as per paragraph 196).

2. The proposed development by virtue of its scale and size does not enhance and preserve the character of the Conservation Area and is disproportionately large in relation to the host dwelling. The development therefore does not accord with ULP Policies ENV1 and GEN2 of the Uttlesford Local Plan 2005 or with sections 12 and 16 of the NPPF 2019.

- **UTT/0251/02/FUL** and **UTT/0252/02/LB** – Erection of single storey garden room to rear elevation.

Approved with conditions (22.04.2002).

7. POLICIES

National Policies

National Planning Policy Framework (NPPF, 2019)
S70(2) of the Town and Country Planning Act 1990 (as amended)
S16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990
S38(6) of the Planning and Compulsory Purchase Act 2004

Uttlesford Local Plan (2005)

ULP Policy ENV2 – Development affecting Listed Buildings

Other Material Considerations

None.

8. PARISH COUNCIL COMMENTS

8.1 The Parish Council provided the following comments:

- No objections.

9. CONSULTATIONS

Place Services – Conservation

9.1 Built heritage advice pertaining to an application for proposed single-storey Oak Frame rear extension.

Watts Folly is listed at Grade II (list entry no: 1170120). It occupies a prominent position within the Arkesden Conservation Area at the corner of Wenden Road. It is a seventeenth-century timber-framed and plastered house on an L shaped plan. The house is of one storey with attics with a thatched roof.

Proposals for a single-storey rear extension were previously refused in February 2021 (UTT/21/0672/LB) and April 2021 (UTT/20/3266/HHF).

The proposals are substantially the same as the scheme refused in February 2021, with the size of the proposed garden room marginally reduced. As such, the concerns from the refused applications have not been addressed, therefore previous advice remains relevant.

Watts Folly is a modestly-sized historic cottage. As indicated in the list description, its L-shaped plan is a key element of its significance which enables the historic development of the cottage as a main range with cross wing to be clearly read and understood. The proposals would dilute the L-shaped plan form of the host dwelling, creating a convoluted ground floor plan form and circulation pattern and causing harm to the significance of the listed building.

It should also be noted that lack of visibility does not equate to lack of harm, nor does it mitigate the impact upon the significance of the listed building. Nevertheless, the western elevation of the listed building, including the extension, is visible from Wenden Road. The intensification of built form in this area would be clearly visible from the public realm.

The proposals would entirely obscure the flank wall of the cross wing. This has already been partly obscured at the southern end with a twentieth-century porch, but the proposals would exacerbate the harm by concealing from view and internalising the remaining stretch of external wall of this historic wing.

The proposals are considered to have a negative impact on the significance of the Conservation Area by causing harm to the architectural integrity and significance of a prominent, positively contributing building, therefore failing to preserve the character of the Conservation Area.

Great weight given to an asset's conservation (NPPF para 193) and clear and convincing justification should be demonstrated for any harm to, or loss of, significance (para 194). There is potential to achieve additional accommodation without causing harm to the plan form of the listed building. As previously stated, there may be scope for a modest extension which is added to the northern end of the existing extension as this would maintain the historic L-shaped plan form and circulation pattern, not diminish it.

The previous concerns from the refused applications have not been addressed as the proposal remains substantially similar, therefore previous advice remains relevant. The proposals would cause harm to the significance of the listed building through damaging its plan form. This harm is considered less than substantial, therefore NPPF para 196 is relevant. This level of harm has also been identified within the submitted Heritage Statement.

The Conservation Officer also added on 06 Jul 2021:

The proposals would cause harm by creating a new, competing circulation pattern which would bypass the historic cross wing. At present, there is a clear principal movement pattern through the building, entering at the front door into the front range of the house and moving north through this into the rear cross wing. The proposals would set up a separate means of access through the modern bathroom into the boot room and new garden room at the rear of the building, effectively circumventing the historic cross wing. This would complicate the circulation pattern around the house and make it harder to understand the currently clear plan form and circulation pattern which has developed from the historic development of the house. The harm to significance is caused by, as they say, 'removing the need to go through the existing rooms to get to the garden room'. The historic core of the house becomes less important if there is a rival circulation system which bypasses it.

10. REPRESENTATIONS

10.1 The adjacent neighbouring properties have been consulted on this application. Neighbour consultation expired on 30 Jun 2021.

10.2 Summary of representations:

- **In support:**

- Very little disturbance.
- The plot is well sheltered.
- The property is in many publications and a local landmark.
- No visual impacts from the front view.
- Additional living space for the occupants.
- Appropriate design.
- No adverse effect on the house.
- Not visible from adjacent properties.

11. APPRAISAL

The issues to consider in the determination of this application are:

A Impact on Listed Building (ENV2, and the NPPF);

11.1 The Case Officer visited the site on 12 Jul 2021.

11.2 This is a listed building application that only assesses the impact of the proposal on the fabric and character of the listed building and the curtilage listed building.

11.3 The planning history of the site revealed UTT/21/0671/HHF and UTT/21/0672/LB for a similar scheme, which was refused on 19 Apr 2021 on the grounds of (1) causing 'less than substantial harm' to the form, character and fabric of the listed building (failing policy ENV2, and the NPPF), (2) harm to the Conservation Area by reason of its scale (failing policies ENV1, GEN2, and the NPPF) and (3) insufficient ecological information (failing policy GEN7, and the NPPF). Prior to this, another similar scheme under UTT/20/3266/HHF and UTT/20/3267/LB was also refused on 15 Feb 2021 for the same reasons (except ecology). For the current scheme to be successful, the previous refusal reasons must be fully and properly addressed.

11.4 In terms of heritage impacts, the Conservation Officer reported "*The proposals are substantially the same as the scheme refused in February 2021, with the size of the proposed garden room marginally reduced. As such, the concerns from the refused applications have not been addressed, therefore previous advice remains relevant*". The Conservation Officer highlighted that the L-shaped plan form of the listed building is mentioned in the listing description, and as such "*is a key element of its significance*". She then reiterated the conclusion of previous consultations that "*The proposals would dilute the L-shaped plan form of the host dwelling, creating a convoluted ground floor plan form and circulation pattern*". The proposal would entirely obscure the flank wall of the cross wing, exacerbating the harm from the existing extension "*by concealing from view and internalising the remaining stretch of external wall of this historic wing*". Therefore, the Conservation Officer raised objections, as the proposal will fail to preserve the

significance and plan form of the listed building, causing 'less than substantial harm', contrary to s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraphs 193, 194, 196 of the NPPF.

- 11.5 The above level of harm to the listed building is also identified in the submitted Heritage Statement (thereafter referred to as HS, see paragraphs 9.16 – 9.17, 10.8, 11.5). It is argued that the public benefits of the scheme should be weighed up in determining the proposal (HS 9.19), including (A) Improved circulation and access within the building and (B) Ensuring the building remains fit for its optimum use as a dwelling.

For argument (A), the Conservation Officer clarified the following on 06 Jul 2021 *"The proposals would cause harm by creating a new, competing circulation pattern which would bypass the historic cross wing. At present, there is a clear principal movement pattern through the building, entering at the front door into the front range of the house and moving north through this into the rear cross wing. The proposals would set up a separate means of access through the modern bathroom into the boot room and new garden room at the rear of the building, effectively circumventing the historic cross wing. This would complicate the circulation pattern around the house and make it harder to understand the currently clear plan form and circulation pattern which has developed from the historic development of the house. The harm to significance is caused by, as they say, 'removing the need to go through the existing rooms to get to the garden room'. The historic core of the house becomes less important if there is a rival circulation system which bypasses it"*.

With regards to argument (B), retaining the existing listed building exactly as it stands would also continuously ensure the optimum viable use of the asset as a dwelling, and therefore, the proposal is not necessary for the dwelling to be retained as such in the future.

- 11.6 In HS 7.2, it is accepted the current scheme is similar to the firstly refused application (UTT/20/3266/HHF and UTT/20/3267/LB).
- 11.7 For the visibility from the public realm issue, the Conservation Officer highlighted that *"lack of visibility does not equate to lack of harm, nor does it mitigate the impact upon the significance of the listed building"*. But even if it did, the intensification of built form would be visible from the public realm, as *"the western elevation of the listed building, including the extension, is visible from Wenden Road"*.
- 11.8 It is also argued by the applicant that *"The building has developed in a piecemeal way and arguably the current proposals are simply continuing this process"* (HS 9.10, 10.3, and 11.1). However, the current policy context, and specifically section 16 of the NPPF is not supportive of piecemeal additions to heritage assets.
- 11.9 Overall, the proposal is not in keeping with the form, fabric and character of the listed building, and thus it fails to accord with ULP Policy ENV2, s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the NPPF.

12. CONCLUSION

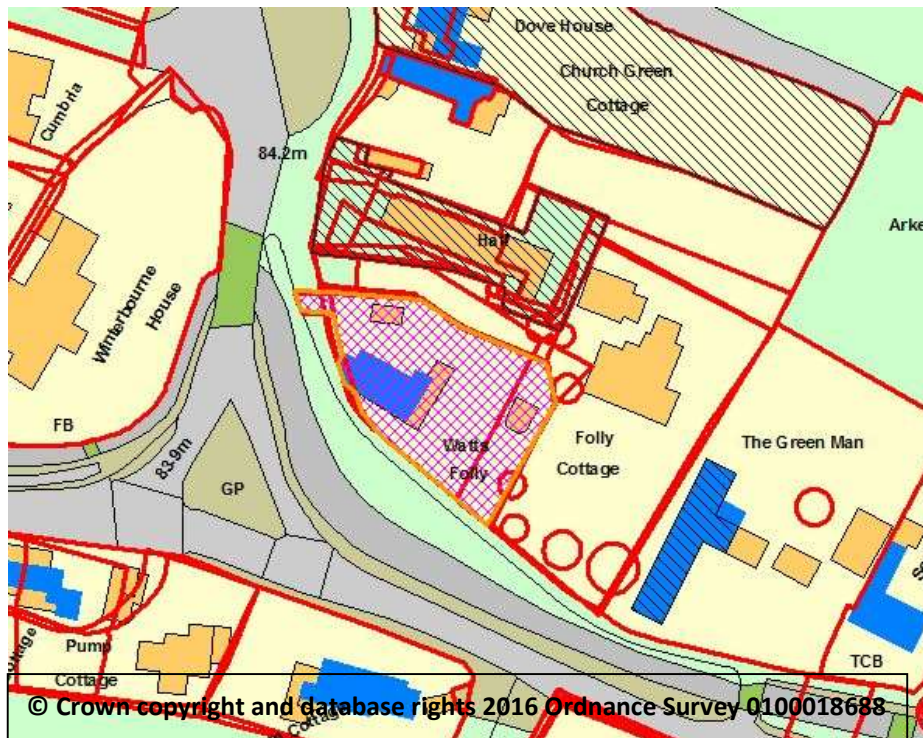
The following is a summary of the main reasons for the recommendation:

- A** The proposal will harm the designated heritage assets (listed building and Conservation Area) and the suggested public benefits will be far from weighing the planning balance in favour of the scheme.

RECOMMENDATION: REFUSAL

Refusal reason:

1. The impact of the proposed works on the heritage asset will be harmful to the historic fabric, form and character of the listed building, to a degree of 'less than substantial harm' as per paragraph 196 of the NPPF. Therefore, the proposal fails to accord with the adopted Uttlesford Local Plan Policy ENV2, s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the National Planning Policy Framework (2019).



Organisation: Uttlesford District Council

Department: Planning

Date: 06 Jul 2021