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Planning, Design & Heritage Statement  
to accompany applications for part retrospective  
householder planning consent & listed building consent  
at The Dairy, Grange Green, Tilty Grange Road, Tilty, CM6  
2EQ

On behalf of: C Christou

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Date: 21/09/2023

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# Introduction

This planning, design & heritage statement accompanies applications for part retrospective householder planning consent & listed building consent at The Dairy, Grange Green, Tilty Grange Road, Tilty, CM6 2EQ

## **Development proposals:**

Installation of 3 no. rooflights on a courtyard-facing roof-slope of the dwelling.

Planning Direct has been instructed to produce this statement on behalf of C Christou, the applicant and site owner/occupant.

The statement should be read in conjunction with the following documentation:

- Full set of plans
- Inspector's decision letter 19/05/2023 - APP/C1570/D/22/3303140
- Supporting letter (ventilation & damp) from Stoddart Architecture.

## **Need for consent**

The dwelling's householder permitted development rights were removed by way of a condition attached to consent UTT/0946/94/FUL which secured the conversion of the former farmstead buildings to 6 no. dwellings.

There is accordingly, a need to secure formal planning consent for certain householder alterations, including the insertion of rooflights.

The LPA considers the site building to consist of a curtilage listed structure. Historic England advises that "altering or demolishing such curtilage structures may require listed building consent"<sup>1</sup>. There is, accordingly, a need to apply for listed building consent for certain building alterations, including the insertion of rooflights.

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<sup>1</sup> Historic England Advice Note 10 "Listed buildings and curtilage"

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## Location & Site Description

The site is located in the rural area and forms part of a complex of historic farm buildings, all modernly converted to private residential dwellings.

The application building consists of a series of linked, single-storey former barns. These are arranged to form a central courtyard which now functions as the property's private , rear garden.

The residential conversion of the property has introduced a number of domestic features, including new glazed openings, a domestic garden and associated paraphernalia. For the most part, however, its original, agricultural form, character and materials predominate.



*The site's private, internal courtyard comprises the external part of the site with the most obviously domesticated character*

The building is understood to have historically been used in close functional connection with Tilty Grange, a Grade II listed C16 farmhouse (entry no. 1169130) located to the south-east of the application site. Another building within the complex - consisting of a C17 timber-framed and weatherboarded barn - is also individually listed at Grade II

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(entry no. 1112184). Located a few metres to the east is a separate Grade II listed building, Grange Green Cottages (entry no. 1169133) which is currently known as Pumpkin Hall.



*The Dairy (green pin) in relation to its neighbouring, individually GII listed buildings (blue pins)*

Although the application building is not individually listed, its age and former association with Tilty Grange means the LPA considers it to be curtilage listed. This finding was recently upheld by an Inspector involved in a s78 planning appeal on the site (APP/C1570/D/22/3303140). This application therefore proceeds on the basis of the site building having curtilage listed status.

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## Proposed Development

The development proposals consist of the part-retrospective installation of 3 no. rooflights on a courtyard-facing roof-slope of the dwelling.

The development is part-retrospective as roof-lights have already been installed, however it is proposed to replace the existing units with low-profile, conservation type roof-lights<sup>2</sup>. This will ensure the rooflights sit flush with the adjacent slate tiles. Otherwise, their overall form and position within the roof-slope will remain as existing.

The application is accompanied by a full set of relevant planning drawings and a collection of recent site photographs (appendix 1). These demonstrate more clearly the character, appearance, siting and visual impact of the development.



*The existing roof-lights in situ, proposed for replacement with low-profile, conservation type roof-lights*

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<sup>2</sup> the LPA is invited to secure this by way of a suitable planning condition

## Relevant Planning History

Reference no.	Description	Status	Date
UTT/20/2344/ CLP	Erection of front extension	RCL	09/11/2020
UTT/21/2852/ HHF 21/00125/REF	Erection of part front ground floor extension	R Appeal dismissed	15/11/2021
UTT/22/0696/ HHF 22/00049/REF	Section 73A Retrospective application for a rooflight to southeast roofslope of dwelling	R Appeal dismissed	03/05/2022
UTT/1294/89/LB	Demolition of modern additions and infills. Retention and conversion of listed buildings to form 6 residential units	AC	24/11/1989
UTT/1293/89	Retention and conversion of listed buildings to form 6 residential units including 1 annexe to The Grange	AL	24/11/1989
UTT/0572/96/LB UTT/0571/96/ FUL	Erection of 1 cart-lodge type garage	AC	11/10/1996
UTT/0562/96/ FUL UTT/0563/96/LB	Conversion of building to form separate residential dwelling with garaging and garden space	R	24/10/1996
UTT/0947/94/LB	Renewal of Listed Building consent UTT/1294/89/LB for the demolition of modern additions and infills	AC	03/11/1994
UTT/0456/95/LB	Replacement of steel framed windows with painted softwood casements and provision of French doors	AC	06/06/1995
UTT/0946/94/ FUL	Renewal of planning permission UTT/1293/89 for the retention and conversion of Listed Buildings to form 6	AC	03/11/1994

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# Policy Justification

## National

### **Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990**

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

### **NPPF (2021)**

#### Paragraph 194 (Proposals affecting heritage assets)

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

#### Paragraph 197 (Proposals affecting heritage assets)

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

#### Paragraph 199 (Considering potential impacts)

When considering the impact of a proposed development on the significance of a

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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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202 (Considering potential impacts)

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

## Local

### Uttlesford Local Plan 2005

Policy S7 - the countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. 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. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Policy ENV2 - Development affecting Listed Buildings

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting.

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### Policy GEN2 - design

Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;
- c) It provides an environment, which meets the reasonable needs of all potential users.
- d) It helps to reduce the potential for crime;
- e) It helps to minimise water and energy consumption;
- f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.
- g) It helps to reduce waste production and encourages recycling and reuse.
- h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.
- i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

### Policy GEN4 - good neighbourliness

Development and uses, whether they involve the installation of plant or machinery or not, will not be permitted where:

- a) noise or vibrations generated, or
- b) smell, dust, light, fumes, electro magnetic radiation, exposure to other pollutants; would cause material disturbance or nuisance to occupiers of surrounding properties

### Policy GEN7 - nature conservation

Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by

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planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.

#### Policy H8 - home extensions

Extensions will be permitted if all the following criteria apply:

- a) Their scale, design and external materials respect those of the original building;
- b) There would be no material overlooking or overshadowing of nearby properties;
- c) Development would not have an overbearing effect on neighbouring properties.

#### **Home extensions SPD 2005**

If you are thinking of using rooflights it is better to use them only on the rear elevation and it's better to use one or the other rather than having a mixture of dormers and rooflights on the same roof.

#### **Essex Design Guide**

Rooflights should be used sparingly. They should appear on rear elevations only and not in conjunction with dormers.

## **Historic England Guidance**

#### **Farmstead assessment framework: informing sustainable development and the conservation of traditional farmsteads (2015)**

Retain existing historic openings and minimise alterations to prominent and significant external elevations, through careful attention to internal planning and how and where to introduce or borrow light. The size, proportion and detail of window and door design and materials has a major impact on overall appearance.

#### **Adapting traditional farm buildings: Best practice guidelines for adaptive reuse (2017)**

Where new openings are added or new windows inserted within existing door openings, great care needs to be given to their placing and design. In many cases it is probably

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best to follow existing patterns on the building or other similar farm buildings. New openings can also be expressed in a modern semi-industrial way without resorting to making them appear 'historic'.

The roofs of farm buildings are often highly visible in the landscape.

Numerous new roof lights poorly positioned can have an intrusive impact, particularly where the roof is the dominant characteristic and is steeply pitched.

Where rooflights are to be added it is often better to locate them on the least prominent roof-slope when viewed from a public vantage point.





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## **Investigation of moisture and its effects on traditional buildings: principles and competencies (2022)**

### 2. Understanding moisture

8. Understand how heating, ventilation and moisture are interrelated.

### 3. Understanding moisture-related building defects

7. Understand sources of dampness, ventilation, heating and insulation positions/types and the impact these have on moisture levels.

11. Consider the influence of existing external ground levels, drainage, cold areas and ventilation.

### 5. Diagnosis and recommendations

2. Understand that dealing with damp is often a staged process. Recognise how to deal with the obvious defects first (including, for example, matters such as ventilation).

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# Commentary

## Introduction

This application is submitted following the LPA's recent refusal to grant planning permission for a roof-light on the southeast roof-slope of the dwelling (UTT/22/0696/HHF). The previous application was refused for a single reason only -

1 The development would cause harm to the significance of the curtilage grade II listed Dairy and would fail to preserve the setting of the Grade II listed Grange. The development would cause less than significant harm to the character, appearance and historic fabric of the existing dwelling house of 'The Dairy'. This harm is not outweighed by any public benefit from the development. The proposal is in conflict with Policy ENV2 of the Uttlesford Local Plan (adopted 2005) Section 16(2), Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Paragraph 202 of National Planning Policy Framework (2021).

An appeal submitted against the LPA's refusal to grant planning consent was later dismissed (APP/C1570/D/22/3303140), with the Inspector upholding the LPA's finding of "less than substantial" heritage harm.

The Inspector's decision comprises a material planning consideration to which due weight attaches. This statement accordingly seeks to demonstrate that the revised form and siting of the roof-lights - in hand with the identification of clear public benefits - serve to resolve the Inspector's reasons for dismissal of the previous appeal.

Consistency in decision-making is an important planning principle. Therefore, in addition to the Inspector's decision (APP/C1570/D/22/3303140), reference is made throughout this statement to a number of recent, relevant decisions in Uttlesford<sup>3</sup>. These decisions demonstrate that certain principles are consistently applied in cases involving the addition of rooflights to both listed and curtilage listed buildings in the local area. As argued throughout this statement, the consistent application of those same principles in the current case ought to result here in the grant of both planning permission and listed building consent.

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<sup>3</sup> all decisions were issued within the past 3 years & assessed against the same Development Plan

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## Principle of development

In response to the previous application (UTT/22/0696/HHF), the LPA found that the principle of development rested upon the heritage impact of the proposed alteration. If the impact were acceptable, the principle of development would be established in accordance with the most relevant strategic local policy, S7.

Given the similarities between the current and former proposals, it is considered that the principle of development remains the same in this case. The heritage impact of the current proposal is assessed later in this statement.

## Impact on residential amenities

In response to the previous application (UTT/22/0696/HHF), the LPA found that the roof-light would cause some additional overlooking of “The Grange” and would also have the potential to introduce light pollution. However, these impacts were considered to be minor and the development was consequently assessed to comply with relevant local policies GEN2 and GEN4.

Whereas the previous application sought consent for a roof-light located on a public, neighbour-facing roof-slope of the dwelling, the current proposal concerns the addition of roof-lights to a private, rear courtyard-facing roof-slope of the dwelling. The result is that the roof-lights are now enclosed by the site building - with no material potential for overlooking or increased light pollution of neighbours or landscape - where they are only readily visible from the site’s own private, domestic garden. This means their impact on the amenities of neighbours is negligible and less than the impact of the previously proposed development (UTT/22/0696/HHF). Accordance is clearly demonstrated with policies GEN2 and GEN4.

## Heritage impact

### **Statement of significance**

The application site is associated with two, individually Grade II listed buildings - “Tilty Grange” (no. 1169130) and “Seven bay barn to west of Tilty Grange” (no. 1112184)<sup>4</sup>.

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<sup>4</sup> the second of these buildings is now known as the Great Barn and has some relevance to the current application

The official list entries for the two buildings are inserted below.

## Details

TILTY GRANGE ROAD 1. 5222 Tilty Grange TL 52 NE 4/39 7.2.52 II GV 2. Early C16 house, timber framed and plastered, with red plain tile roof. Gabled crosswing at west end. Two storeys. Two window range, leaded casements. C17 porch, with plain tiled gabled roof. Circular plaque depicting stag. C17 extensions at rear. Two storeys with red plain tile roofs. Internally much of the original frame is exposed, and there are C17 and C18 doors. Two original red brick chimneys with attached diagonal shafts. (RCHM3).

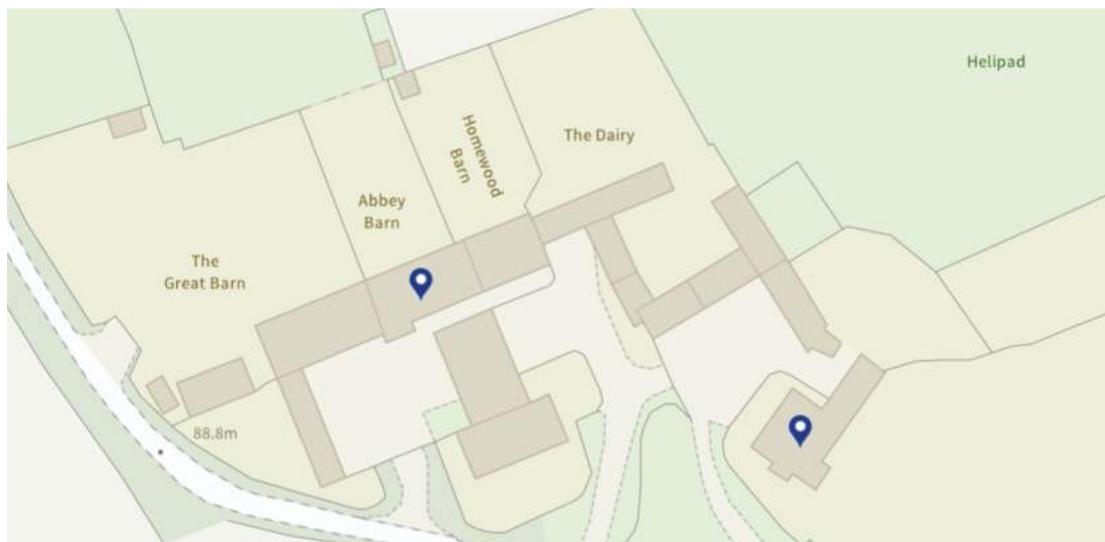
*Tilty Grange - official list entry*

## Details

TILTY GRANGE ROAD 1. 5222 Seven bay barn to west of Tilty Grange TL 52 NE 4/38 II GV 2. Early C17 timber framed and weatherboarded barn, with corrugated asbestos roof. Gabled midstrey to south. Seven bays, aisled on one side only, the frame is virtually complete, with braced tie beams, side purlin roof and intermittent collars.

*Seven bay barn to west of Tilty Grange - official list entry*

As indicated by the below map extract, the application site (The Dairy) is located in between the two listed buildings and remains physically attached to the seven bay barn.



*The Dairy in relation to its neighbouring, individually listed buildings*

As evidenced by their official listings, the heritage interest of both Tilty Grange and the

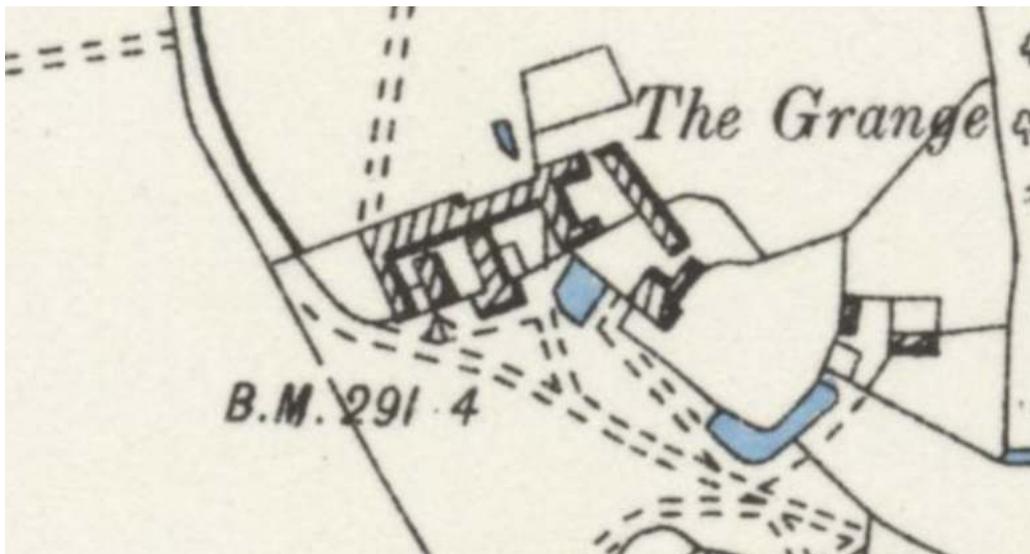
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seven bay barn is primarily architectural. That is to say, it is their local vernacular form, construction and materials that hold the most significance. Tilty Grange has C16 origins and is of traditional, timber-framed construction with many local vernacular features, including impressive and visually dominant red brick chimneys. The seven bay barn is a very substantial C17 structure, featuring a characterful, steeply pitched roof that is highly visible in the landscape.

As former farm buildings, the structures also possess historic significance. In particular, they provide insight into the origins and historic development of society, economy and settlement in rural England, which generally centred around the farm.

The application site building naturally possesses many of the same qualities and elements of significance.

Its exact origins are unknown, however it appears in something like its current form on late 19th Century OS maps (see extract below). Some extensions and additions appear to have been undertaken since this date.



*1896-1898 OS map extract*

Given its location, it is evident that the building would have been constructed for a farming purpose, in close functional association with the adjacent and attached farm buildings.

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The building's external materials consist, predominantly, of:

- Slate tiles and pantiles on roofs; and
- Stone and red brick on walls.

These materials suggest the building was likely either constructed or substantially altered from the late 18C onwards<sup>5</sup>.

The Inspector involved in the recent appeal (APP/C1570/D/22/3303140) found the site building to have a “simple and functional nature” and assessed its heritage significance to lie primarily as follows:

“The appeal site is a historic barn which adjoins the edge of a group of historic agricultural buildings arranged around an inverted U-shape which were converted to form 6 dwellings in the late twentieth century. Whilst the group of buildings which make up the farmstead have significance, the part of the structure that relates to this appeal also has individual importance. This predominantly concerns the remaining historic fabric, the simple and functional construction, the quality of the materials and craftsmanship and how they relate to the former form and function of a group of largely unaltered agricultural buildings. These buildings are experienced together as a historic farmstead and are valuable in allowing an understanding of the various agricultural operations, functions and relationships between the land and associated buildings. Additionally, the setting of the appeal site and adjoining farmstead is quite large given its isolated and prominent position and appearance within the wider landscape.”

This is considered to provide an accurate overview of its particular heritage significance.

## **Assessment of heritage impact**

### **Inspector's appeal decision**

It is first necessary to consider the Inspector's findings in relation to the previous appeal for the retention of a roof-light on the southeast roof slope of the dwelling (APP/C1570/D/22/3303140). In the case of the previous appeal, the Inspector found the proposed roof-light would cause “less than substantial” heritage harm. Harm was found for the following primary reasons:

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<sup>5</sup> see page 7 of Historic England's “Historic Farmsteads. Preliminary Character Statement: South East Region” (2006)

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### Reason 1: prominent siting of the roof-light

The Inspector referred to Historic England Guidance which seeks that developments “minimise alterations to **prominent and significant external elevations**” [bold emphasis my own].

In light of this guidance, the Inspector found that, “the south-eastern roof pitch<sup>6</sup> of this barn is a considerably prominent façade which is experienced along the main driveway into the historic steading as well as being visible from the road.”

### Reason 2: raised profile of the roof-light

The Inspector referred to “the size and **raised nature** of the roof-light”, finding that this “would not reflect the simplistic and traditional nature of the barn building”.

Later in their report, the Inspector acknowledged the established presence of 2 no. roof-lights on the rear roof slope of the Great Barn<sup>7</sup>. On this existing development, the Inspector offered the following relevant comments:

“These roof lights appear to be inset into the roof slope, **rather than raised above the roof plane** as per the appeal site.”

“The presence of these rooflights does not persuade me that further domestic type alterations such as present on the appeal site and **of a more raised form** would be acceptable” [bold emphasis my own].

### Reason 3: lack of public benefits

For the reasons summarised above, the Inspector found that the roof-light would cause “less than substantial” heritage harm and acknowledged that this harm should be weighed against the public benefits of the proposal. On public benefits, the Inspector found as follows:

“In relation to this particular installation, the appellant in the appeal documents does not present any public benefits, however some public benefit would arise from the short term employment opportunities in installing the roof light, as well as facilitating the

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<sup>6</sup> being the roof-pitch on which the previous roof-light was installed

<sup>7</sup> an adjacent and individually Grade II listed former farm building

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improved usability of the building. However, the building could still be utilised as a dwelling without the rooflight and the long term conservation and reuse of a heritage asset would be ensured. The roof light is also within the bathroom, and would also not be a habitable space. I have not been presented with any substantive evidence on how the proposed window would further facilitate the usability of the barn to a level that would demonstrably outweigh the harm to the designated heritage asset. Overall, and in conclusion of this matter, I therefore find that there would be insufficient public benefit to offset the identified harm and the development does not accord with the Framework.”

#### Overcoming the Inspector’s reasons for dismissal of the appeal

In order to overcome the Inspector’s reasons for dismissal of the appeal, the following key alterations have been made:

1. The proposed roof-lights are no longer sited on a prominent, road-facing elevation of the building. Instead, they have been relocated to a rear roof-slope where they face onto the dwelling’s rear courtyard garden. This comprises the most discreet, private and obviously domesticated part of the site. Because of their enclosure within the site’s courtyard, the roof-lights are no longer readily visible from any public vantage point;



*Existing roof-lights (proposed for replacement with conservation-style units) face onto the site’s domestic rear garden where they are discreetly enclosed - and screened from public view - by the dwelling’s U-shape*

2. The form of the roof-lights is materially altered with flush, conservation-style units now proposed. The result is that the roof-lights will now maintain the profile of the roof, in the same manner as the roof-lights located on the rear roof-slope of the neighbouring Grade II listed building, the Great Barn and the nearby Grade II listed building, Grange Green Cottages (now known as Pumpkin Hall).



*Example of conservation-style roof-lights, sitting flush with the slate roof*



*Conservation-style roof-lights on the neighbouring Grade II listed Great Barn, as viewed from the public footpath to the NW. The proposed roof-lights will have a comparable form, profile and visual impact, albeit with considerably reduced public visibility*



Conservation-style roof-lights located on two separate roof slopes of the nearby, Grade II listed Grange Green Cottages. See recent photographs of this neighbouring statutorily listed building here: [https://www.rightmove.co.uk/properties/140215001#/media?channel=RES\\_BUY&id=media2&ref=photoCollage](https://www.rightmove.co.uk/properties/140215001#/media?channel=RES_BUY&id=media2&ref=photoCollage)

3. There is also public (heritage) benefit associated with the development, not previously put forward or considered by the recent Inspector. The public (heritage) benefit consists of:

Increased, appropriately-sited ventilation to assist with condensation, humidity and damp problems within the heritage building.

The dwelling suffers from high levels of condensation throughout but particularly where the bedrooms are sited (below roof-lights). This is likely due, in part, to the original use and construction of the building (a barn) which was not intended for modern human habitation<sup>8</sup>. This issue does not appear to have been accounted for in its 20th Century residential conversion.

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<sup>8</sup> modern residential use involves various activities - including showering and cooking - that generate moisture levels far excess of what the building was designed to withstand. Its original use as a barn (sheltering animals, feed and other dry supplies) would have generated comparatively little in the way of condensation and moisture. It is also likely that its historic openings would not have been subject to glazing and this would have increased its capacity for ventilation

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Although there are traditional windows at the property, warm, moisture-rich air rapidly rises and becomes trapped at the top of the building, causing issues of excess condensation, humidity and damp. The proposed roof-lights will enable warm, moisture-rich air to escape. A combination of traditional facade windows and roof-lights also causes a positive “stack effect” - this is where air is pushed upwards, allowing drier, fresh air from outside to enter the home.

The application is supported by a separate report - prepared by an ARB/RIBA registered architect - that corroborates the above. Recent photographic evidence of the dwelling’s high levels of condensation is also enclosed at Appendix 1.

According to Historic England, damp is a significant problem in many buildings and causes decay of building fabric and contents, in addition to unhealthy conditions for occupants. Historic England advises that “dealing correctly with damp in old buildings has never been more important”.

## Damp in Historic Buildings

🕒 Published 22 September 2022

Damp is a significant problem in many buildings. It causes decay of building fabric and contents, creates unhealthy conditions for occupants and makes buildings more expensive to heat. As the cost of living rises and as we adapt to climate change, we need to reduce energy consumption so dealing correctly with damp in old buildings has never been more important.

<https://historicengland.org.uk/advice/technical-advice/buildings/damp-in-historic-buildings/>

Historic England’s “Investigation of moisture and its effects in traditional buildings” also rightly recognises that a lack of appropriate ventilation is one of the most “obvious defects” in historic buildings and is amongst the first solutions in the staged approach to dealing with damp:

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## 5 Diagnosis and recommendations

- 1 Provide a holistic diagnosis that identifies and deals with causes, rather than focusing on symptoms.
- 2 Understand that dealing with damp is often a staged process. Recognise how to deal with the obvious defects first (including, for example, matters such as ventilation, ground levels and lifestyle). Then, allow a period for monitoring and natural evaporation, and reassess before moving on to other treatments.

*Page 13 of Historic England's Investigation of moisture and its effects on traditional buildings: principles and competencies (2022)*

The proposed roof-lights will provide necessary ventilation of the historic building to prevent the irreparable decay of its fabric. This is a material public benefit of the development. The addition of roof-lights is an overall modest intervention, resulting in only minor loss of building fabric, to secure the long-term repair of the structure.

The government has published planning practice guidance to be read in conjunction with the NPPF. In respect of public benefits (paragraph 202), the guidance provides as follows:

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## What is meant by the term public benefits?

The [National Planning Policy Framework](#) requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework ([paragraph 8](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Paragraph: 020 Reference ID: 18a-020-20190723

Revision date: 23 07 2019

*Planning Practice Guidance - Historic environment*

This confirms that:

- Benefits do not have to be visible or accessible to the public in order to be genuine public benefits; and
- Works to a listed private dwelling which secure its future as a designated heritage asset - including, in this case, works to prevent the irreversible decay of the curtilage listed structure's historic fabric as a result of excess moisture and insufficient

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ventilation - could be public benefit.

The improved living conditions for occupants and reduced energy consumption (per the above Historic England guidance) are also modest public benefits that attract due weight in the heritage balance.

In light of the above, the reasons given by the Inspector for dismissal of the previous, related appeal are considered to be overcome.

### **Application of relevant Historic England design guidance & local design guidance**

As set out below, the development is also considered to be in accordance with relevant guidance issued by both the LPA and Historic England.

#### Local guidance - Home extensions SPD 2005

The LPA's relevant home extensions SPD includes guidance on the use of roof-lights. This recommends that where roof-lights are used, they should be sited on rear elevations. The guidance also recommends that a mixture of roof-lights and dormers on the same roof should be avoided.

This guidance is met as the roof-lights are sited on a rear, private, garden-facing elevation of the dwelling and there are no existing or proposed dormer windows anywhere on the building.

#### County guidance - Essex Design Guide

Similar to the above local guidance, the EDG advises that roof-lights should appear on rear elevations only and not in conjunction with dormers. As above, the development is in clear compliance with this guidance.

The EDG also recommends that roof-lights are used sparingly. In this case, 3 no. modest roof-lights are proposed and the amount and location of the roof-lights is proportionate to the expansive roof structure and in keeping with the established fenestration pattern. In particular, the roof-lights are inserted directly above the existing facade windows for a congruent and rhythmic appearance. Their irregular placement is responsive to the informal, agricultural character of the heritage building. It is noted, also, that the application building includes a series of slate and pantiled roofs and the total percentage of its roofs to be covered by roof-lights is wholly modest. The vast

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majority of its roofs - and their associated historic fabric - will remain complete and unaffected.



*Site photograph demonstrating the extent of the building's various roofs & the very small total % of roofs to be covered by roof-lights*

The relevant EDG guidance is accordingly met.

National guidance - Historic England's "Farmstead assessment framework [...]"

As recognised by the Inspector involved in the previous appeal, this 2015 guidance note advises that developers should "minimise alterations to prominent and significant external alterations".

This guidance is deemed to be met as the roof-slope on which the roof-lights are inserted is located at the rear of the building where it has no prominence in public views. In addition, this face of the building turns away from the surrounding listed buildings, meaning there is very limited capacity for inter-visibility. It is also the part of the site that is the most obviously domesticated due to the residential character of the courtyard garden and its associated domestic trappings and paraphernalia.

The HE guidance note also provides that "the size, proportion and detail of window design and materials has a major impact on overall appearance". This explains the Inspector's concerns with the raised profile of the previously proposed roof-light. In order to meet the HE guidance, it is proposed that flush, conservation-style roof-lights will be installed in order to achieve a more discreet appearance and maintain the profile

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of the affected roof.

As explored above, the size and proportion of the roof-lights is modest in comparison to the available roof area and demonstrates due respect for the dwelling's existing informal and irregular fenestration pattern.

In terms of materials and details, it is proposed that the roof-lights will include grey aluminium frames. The colour will provide consistency with the slate tiles whilst the material will be in accordance with the simple, functional character of the former agricultural building. These details can be secured or varied by condition. Alternatives would include timber units to be either painted or varnished.



*Example of a grey, aluminium, conservation-style roof-light on a slate roof*

National guidance - Historic England's "Adapting traditional farm buildings [...]"

In respect of the placement of new openings, this HE guidance provides that, "it is probably best to follow existing patterns on the building or other similar farm buildings".

As above, the roof-lights have been placed directly above the building's existing facade windows in order to achieve a consistent fenestration pattern. Regard has also been demonstrated for the established, similar placement of roof-lights on the rear roof slope of the neighbouring, part-attached Grade II listed Great Barn.

This guidance also suggests that, "new openings can be expressed in a modern semi-industrial way without resorting to making them appear 'historic'".

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The proposed use of aluminium frames would achieve such a modern semi-industrial character and would ensure the new units do not appear as inauthentic pastiches of historic windows.

This guidance also acknowledges that:

“roofs of farm buildings are often highly visible in the landscape”;  
“numerous new roof lights poorly positioned can have an intrusive impact, particularly where the roof is the dominant characteristic and is steeply pitched”; and  
“where rooflights are to be added it is often best to locate them on the least prominent roof-slope when viewed from a public vantage point.”

It is of some relevance, therefore, that the affected roof-slope has very limited visibility in the landscape due to its orientation (inner-courtyard facing) and relative enclosure.

In addition, the affected roof-slope is not the dominant characteristic of the heritage building or wider heritage site and nor is it steeply pitched. A clear contrast can be drawn, for example, between the more simplistic and common form of the affected roof and the more imposing, architecturally-rich, landscape-dominant and rarer form of the adjacent, Grade II listed Great Barn’s roof.



*View of the Great Barn’s impressive, highly visible and steeply roof from the adjacent public highway*

This guidance also includes a range of photographs of exemplary, modernly converted farm buildings (nos. 22, 24, 25, 38, 41 & 42), all of which include a modest no. of conservation-style roof-lights. These photographs clearly indicate that roof-lights can have an acceptable impact on the character and heritage values of former farm buildings provided they are limited in number, well-sited and of an appropriate type.

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Photograph 42 is of particular relevance as it includes multiple, different types of closely-located farm buildings within a single historic farmstead. One of the buildings is a very large structure with an expansive, steeply pitched roof that dominates the site. The building to its right has a more subordinate scale and character, with a standard, dual-pitched slate roof:



In accordance with the HE guidance, roof-lights have been avoided entirely on the steep roof of the larger structure and inserted, instead, on the less dominant slate roof of its subordinate structure.

In the case of the affected historic farmstead, the application building is a subordinate structure with a regular, more discreet and less prominent roof form. It is therefore considered to have greater capacity to sustain a modest no. of rooflights than, for example, the neighbouring Great Barn.

**Consistency with other relevant decisions taken by the LPA and Inspectorate**

For the reasons set out previously, the proposed roof-lights are assessed to achieve an acceptable heritage impact, overcoming the Inspector’s reasons for dismissal of the recent, related appeal (APP/C1570/D/22/3303140).

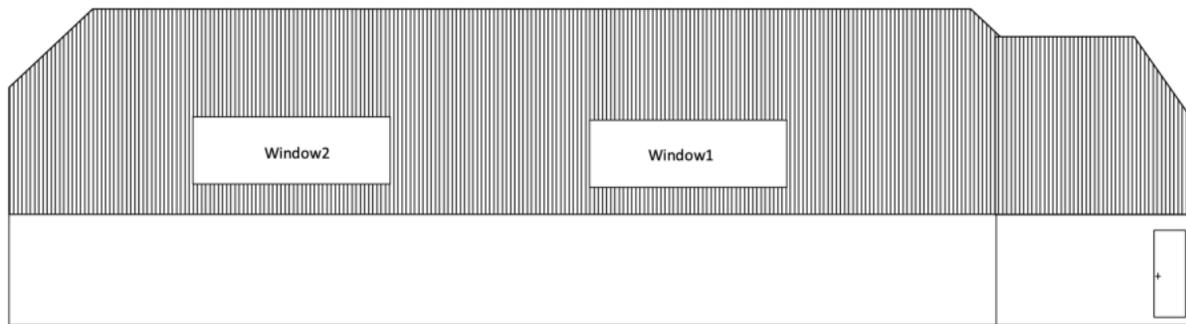
This finding is considered to be consistent with other, similar decisions issued by the LPA and Planning Inspectorate within the past 3 years. This is justified below, by

reference to the relevant decisions<sup>9</sup>.

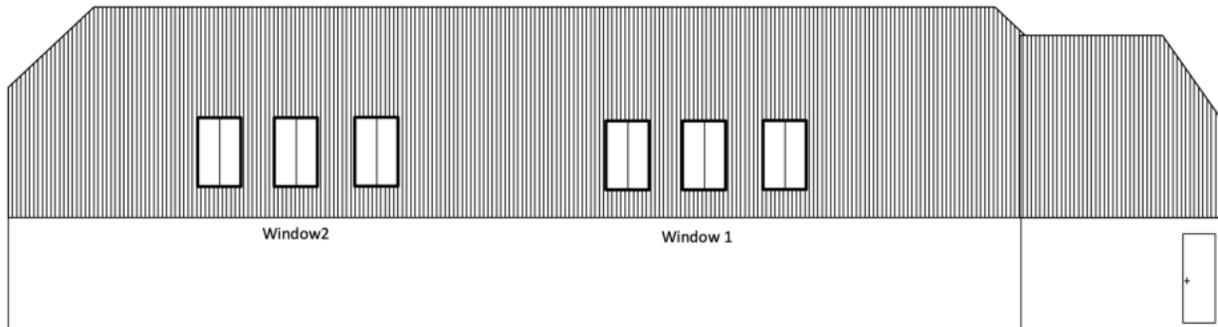
UTT/20/1991/LB, replacement of 2 no. existing rooflights, Shingle Hall Barn, Great Dunmow, CM6 1JB, approved 18/09/2020

This application sought to replace 2 no. existing roof-lights with 6 no. roof-lights of a different form but similar placement. Some relevant plan extracts appear below.

The affected property is also a former barn previously converted to residential use. The building is a C14 structure individually listed at Grade II and its heritage significance is therefore demonstrably greater than the application site.



*Existing elevation*



*Proposed elevation*

The Historic Environment Team responded to the application as follows:

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<sup>9</sup> all documents relating to these applications remain available on the LPA's public access system. However, if the LPA requires copies of any document, they are invited to contact the applicant's agent who will be able to provide them via email

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*“I have no in principle objection to the replacement of the existing rooflights, however the proposed rooflights are not considered acceptable. The proposed rooflights must be of the low-profile conservation type, which do not stand above the plane of the roof.”*

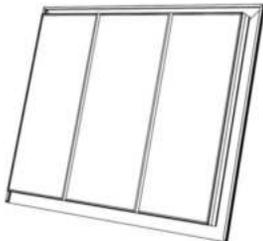
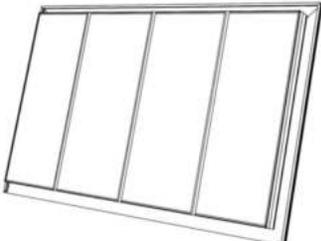
This is consistent with the Inspector’s recent finding of harm (APP/C1570/D/22/3303140) as a result of the raised profile of the roof-light.

In light of the Historic Environment Team’s response, application UTT/20/1991/LB received conditional consent with condition 2 appearing as follows:

*“The rooflights shall be of low profile conservation type, the specification of which shall be submitted to and to be approved by the local planning authority before work starts. The works thereafter shall be carried out in accordance with the approved scheme. REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with Uttlesford Local Plan (2005) policy ENV2”.*

This condition was subsequently discharged (UTT/20/2839/DOC), with the LPA approving "ROOF MAKER fixed conservation luxlite" units - see relevant product specification extracts below.



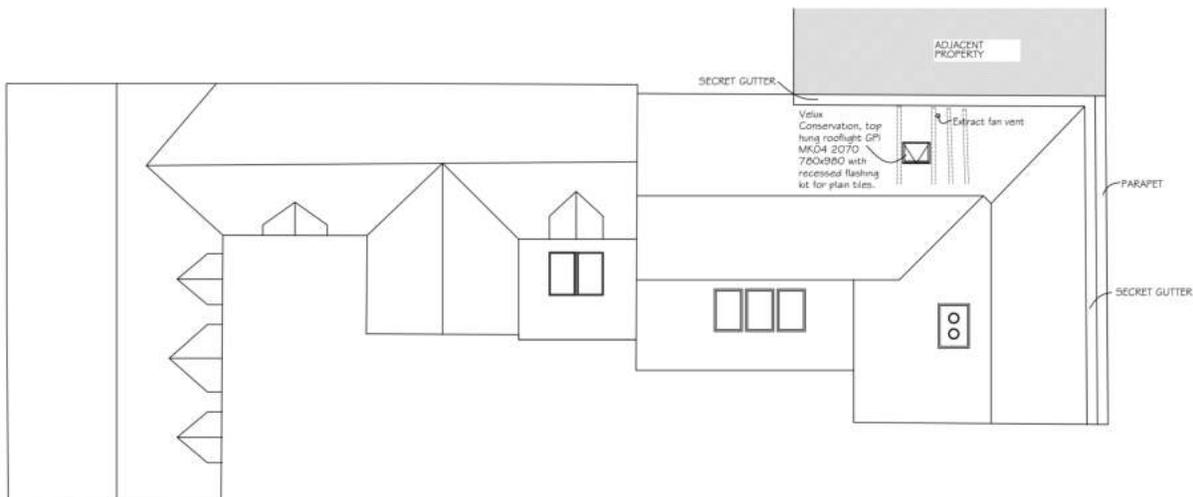
Number of split bars:	1 split	2 splits	3 splits
Width of rooflight:	400mm - 1000mm	1001mm - 1500mm	1501mm - 2000mm
Image:			

The applicant would be willing to accept a similar condition in this case and would be similarly willing to use a similar or identical product as approved in case UTT/20/2839/DOC.

UTT/22/1550/LB, insertion of rooflight in loft for access, 1 Bakehouse Court, High Street, CB10 1LD, approved 08/08/2022

This application sought to install a new conservation-style roof-light. A number of roof-lights were already present on other parts of the roof but none existed on the affected roof-slope. A relevant plan extract appears below.

The affected property is of a different typology, consisting of a Grade II listed C15 house and shop. It is also prominently sited in the Saffron Walden Conservation Area. Its heritage significance is therefore demonstrably greater than the application site.



*Proposed roof plan*

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The application was accompanied by a Design, Access and Heritage Statement and this provided the following justification for the roof-light:

This application seeks Planning and Listed Building consent to insert a rooflight into the North facing roof slope giving access for maintenance to an inaccessible lead valley gutter adjacent to the external wall of the adjacent building number 21 High Street. Debris collects in this valley and without regular clearing gives rise to rainwater ingress. In the past scaffolding has been required to carry out all maintenance work. This top hung rooflight would allow easy regular access.

In summary, the roof-light was proposed to provide easier access to the roof (and valley gutter) for regular maintenance in order to prevent rainwater ingress that would affect the integrity of the building's historic fabric.

It is of note, however, that:

- This justification was not corroborated by any separate report or survey; and
- The applicant was upfront that access to the roof for maintenance was still achievable in the absence of the roof-light, albeit that this required the use of temporary scaffolding.

The Historic Environment Team responded to the application as follows:

*“It is understood that the proposed rooflight shall not result in harm to the historic timber frame of the heritage asset and whilst there will be the loss of some historic clay tiles, in this instance due to the inconspicuous location and the submitted clear and convincing justification towards the continued maintenance of the heritage asset, the proposals are considered acceptable. Therefore, I raise no objection to this application. Were permission to be granted, I request a condition is attached which secures a sample of the proposed rooflight including details of installation and that it shall be flush against the roof.”*

This reiterates the importance of using conservation-style - as opposed to raised - rooflights. More importantly, it confirms that:

- The location of roof-lights has a significant effect on their heritage impact. In the above case, the roof-light was proposed for insertion on an “inconspicuous” private rear face

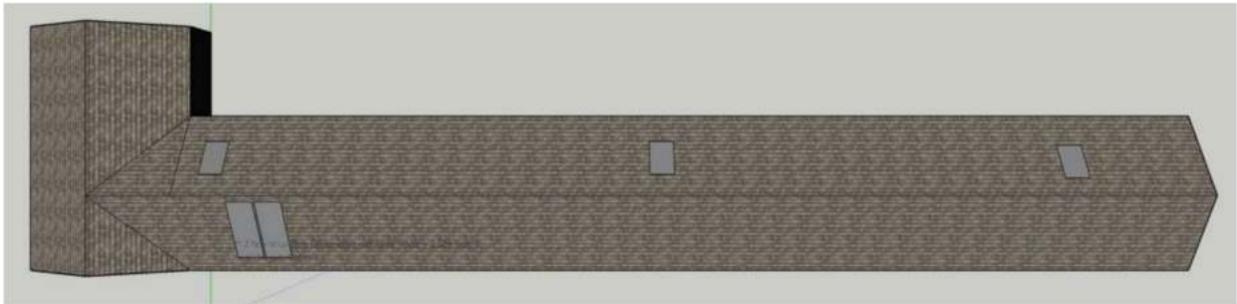
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of the dwelling where it had nil/limited public visibility. The same is true of the current proposal;

- The contribution made by the roof-light towards the ongoing maintenance and good repair of the heritage asset consisted of “clear and convincing justification” for the modern addition and minor loss of historic fabric. This was in spite of the relevant part of the building already being accessible for maintenance purposes, albeit at additional private cost to the owner (due to the need for temporary scaffolding). In this case, the roof-lights will make an essential contribution towards the ongoing maintenance and good repair of the heritage asset by providing vital increased ventilation of the building in the least intrusive manner possible. This is supported by a separate technical report.

UTT/20/0937/HH & APP/C1570/D/19/3240872, addition of conservation roof light, The Longhouse, 4 Battles Hall Barns, CM23 1BJ, appeal allowed 24/09/2020

This application sought consent for the addition of 2 no. conservation roof-lights on the east-facing roof-slope. 3 no. roof-lights were already present on the opposite roof-slope. Some relevant plan extracts appear below.



*Proposed roof plan*



*Photo of large roof-lights in situ*



*Location plan - it is notable that the roof-lights would naturally have greater visibility within the landscape than the units here proposed due to their relative lack of enclosure*

Similar to the current case, the roof-lights were proposed for addition to a curtilage listed barn associated with a Grade II listed C16 building. The building also lay within the immediate setting of the moated site, a Scheduled Monument. Its heritage significance is therefore demonstrably greater than the application site.

Also similar to the current case, the application was submitted following the LPA's refusal of a previous application to install rooflights which was upheld at appeal (APP/C1570/D/19/3240872).

The Historic Environment Team responded unfavourably to the application as follows:

The proposed rooflights will be located on the east facing roof slope, that is an otherwise uninterrupted form. I deem in principle, the insertion and loss of historic fabric from the curtilage listed barn to be unacceptable. The proposed rooflights will adversely change the experience of the barn, it would be overly domestic by design. The existing eastern elevation faces towards fields and wider rural surrounds which responds to the agricultural origins of the barn. Thus, the proposed would cause harm to the significance of the curtilage listed barn, whilst this harm would be 'less than substantial', the proposed would also negatively contribute to the setting of Battles Hall and the Scheduled Monument.

Furthermore, a previous scheme to install rooflights was submitted and dismissed at appeal (ref: APP/C1570/D/19/3240872). I acknowledge this scheme is a reduction in the number of rooflights, however as noted in the appeal the scheme is of no public benefit and consequently the harm is not outweighed.

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The application was consequently refused on the basis that “less than substantial harm” would be caused to the heritage asset. This decision was, however, overturned on appeal (APP/C1570/D/20/3254673), with the Inspector’s decision letter including the following, highly pertinent assessments:

6. The existing rooflight at the southern end of the west-facing roof slope serves a small upper floor bedroom. The appellant advises that that window is the sole point of light and ventilation to that room and its en-suite bathroom. As a consequence of its west facing orientation and limited opening aperture the room becomes over-heated during sunny summer periods, rendering occupation of the room uncomfortable, unpleasant and, at times of extreme heat, unusable. The proposal would allow through-ventilation of the room as a means to combat these concerns.

*Relevance to the current case:*

*The proposed roof-lights will also provide necessary ventilation of the building which is of benefit not only to the occupants but also to the building’s fabric*

8. The Council are concerned that the introduction of the pair of rooflights into the largely uninterrupted east facing roof slope would change the character of the building, and the observer’s experience of it, to being overly domestic. I disagree.
9. The approach to No. 4 from the west is through an already domesticated residential setting or driveways and lawned front gardens, albeit within the traditional rural form and appearance that the barns provide as a backdrop. At the rear, the appeal property’s extensive, landscaped and terraced garden area has a distinctly domesticated appearance. Inevitably it, and other gardens, display the unavoidable trappings of domestic paraphernalia and domestic garden landscaping. The complex of buildings may back on to rolling agricultural fields, to which the Council contend that the building’s eastern elevation responds, but to accept that is not to accept that the buildings and the land around them do not already display domestic residential trappings.

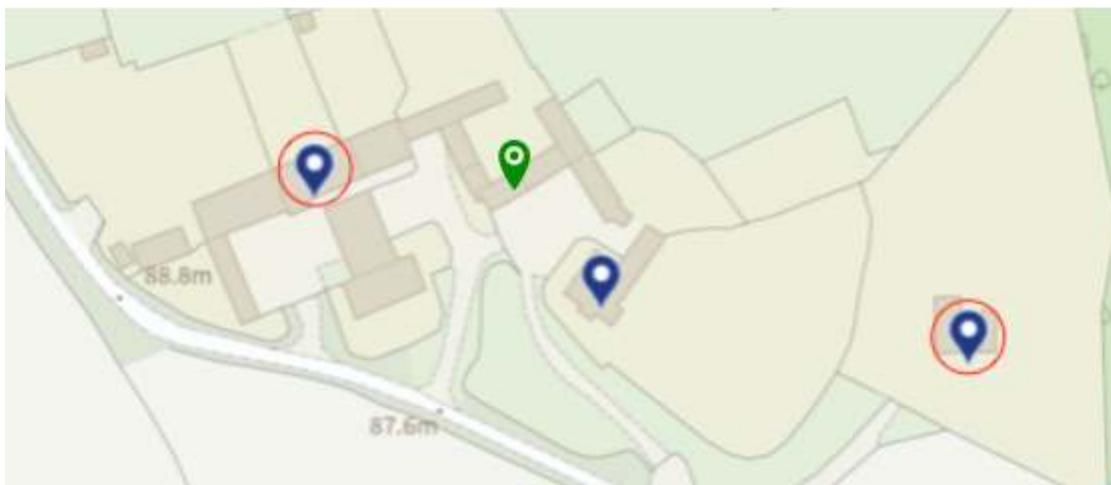
*Relevance to the current case:*

*The proposed roof-lights are also to be installed within a distinctly domesticated part of the site, specifically facing onto a garden that displays the unavoidable trappings of domestic paraphernalia and domestic garden landscaping*

10. The pair of rooflights would be located directly next to each other. Their strong vertical proportions would create a slim, vertically proportioned injection into the roof slope, discretely located towards one end (the southern end) of the appeal property's lengthy roof axis. In the overall context of this lengthy north-south roof axis, the proposed rooflights would be a minor intervention into the roof slope. Nor would they be widely seen, other than from aerial vantage points, in conjunction with existing rooflights on the west facing elevation. The otherwise uninterrupted roof form, long north-south axis and dark painted weather boarded elevations would remain the dominant features and undeniable drivers of the appeal property's historic and architectural significance, interest and character.

*Relevance to the current case:*

*The proposed roof-lights also achieve strong vertical proportions and, in the context of the building's generous series of roofs, would appear as a minor intervention into the roof structure. They would not be widely seen, other than from aerial vantage points where they would appear in conjunction with the existing rooflights on the attached Great Barn and nearby Grange Green Cottages. The otherwise uninterrupted roof form (of note: there are no other roof-lights or dormers present throughout the application site), distinctive U-shaped building plan and varied, local vernacular building materials (including historic weatherboarding, brick and stone) would remain the dominant features and undeniable drivers of the property's historic and architectural significance, interest and character*



*Annotated extract of Historic England's listed buildings map - statutorily listed buildings are marked by blue pins & the subject building by a green pin. Those listed buildings known to currently possess conservation-style roof-lights are circled in red. It warrants recognition that the presence of a modest no. of appropriately styled and sited roof-lights on these neighbouring GII buildings has not materially harmed or diminished their heritage significance. It would be reasonable, therefore, to consider that the subject building (which is curtilage, as opposed to individually, listed) has a similar or greater capacity to sustain such an alteration*

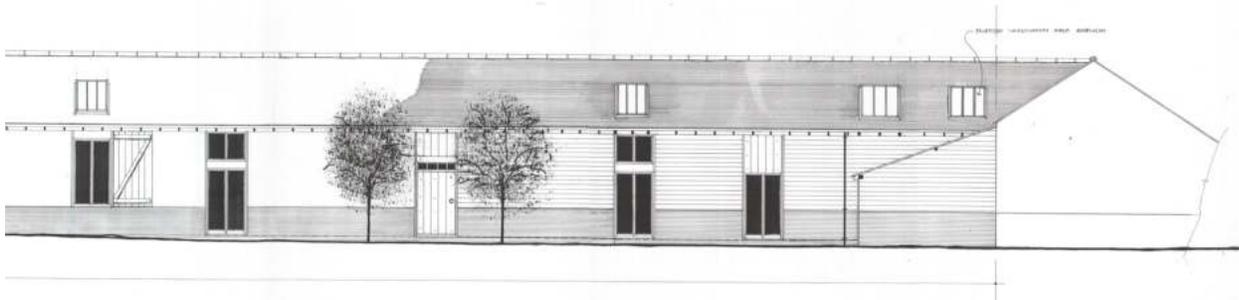
11. The current proposal represents a minor intervention into the appeal property's overall roof structure. It would not, I conclude, adversely change the experience of the appeal property as a traditional, former agricultural building, converted to residential use. The proposal would be a visible alteration to the building's east-facing roof slope but for the reasons I have set out above, it would have a neutral effect on its overall character or appearance. A neutral effect means that the special architectural and historic interest of the building would be preserved. There would be no conflict with the aims of ULP policy ENV2 or the National Planning Policy Framework (the Framework). In reaching this conclusion I have had special regard to the desirability of preserving the building or any features of special architectural interest which it possesses as required by the statutory duty imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

*Relevance to the current case:*

*The proposed roof-lights also represent a minor intervention into the property's overall roof structure. They would not adversely change the experience of the appeal property as a traditional, former agricultural building, converted to residential use. Indeed, a clear comparison can be drawn to the ongoing positive experience of the adjacent Gll Great Barn and nearby Gll Grange Green Cottages which both feature a series of roof-lights. The proposal can therefore be considered to have a neutral and acceptable heritage impact*

UTT/20/2615/HHF & UTT/20/2616/LB, installation of conservation roof light, The Longhouse, 4 Battles Hall Barns, CM23 1BJ, approved 11/12/2020

This application sought consent for the addition of another roof-light to the same curtilage listed barn described above. In this case, consent was sought for a fourth roof-light on the western roof-slope. This would result in a total of 6 no. roof-lights on both sides of the roof. A relevant plan extract appears below.



*Proposed elevation*

The Historic Environment Team responded to the application as follows:

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*“The proposal is for a rooflight upon the western roof slope, facing inwards to the courtyard. It is understood that the conservation rooflight will match in size and style the existing rooflights. Upon review of the submitted information, I do not consider the proposals to detract from or harm the significance of the heritage assets, thus I have no objection. Were permission to be granted, I request the following condition is attached: • The rooflights shall be of low-profile conservation type, the specification to be approved by the local planning authority before work starts.”*

This again reiterates the importance of low-profile, conservation-style roof-lights. It is also of relevance that the heritage officer appears to have given weight to the following matters:

1. The siting of the roof-light, facing inwards to the courtyard. The current proposal would adopt a similarly discreet, courtyard-facing siting;
2. The fact that the roof-light would match in size and style the building’s existing rooflights. In this case, there is clear potential for the roof-lights to exactly match in size and style the roof-lights already present on the Great Barn, to which the site building attaches. This can be conditioned if necessary.

UTT/21/1500/HHF & UTT/21/1501/LB, installation of conservation roof light, The Longhouse, 4 Battles Hall Barns, CM23 1BJ, approved 28/06/2021

This application sought consent for the addition of another pair of 2 no. roof-lights to the same curtilage listed barn described above. The roof-lights were proposed for addition to the eastern roof-slope, mirroring the roof-lights already approved by the Inspector (APP/C1570/D/20/3254673). This would result in a total of 8 no. roof-lights on both sides of the roof. A relevant plan extract appears below.

Front View from East current:



View from East Proposed



The Historic Environment Team responded to the application as follows:

An application (UTT/20/0937/HHF) for a conservation rooflight at the southern end of the eastern elevation was allowed at appeal on 24 September 2020 (APP/C1570/D/20/3254673).

The proposal is for an additional rooflight at the northern end of the eastern elevation. This will match the existing rooflight at the southern end.

The principle of introducing a rooflight into the previously uninterrupted roof slope of the eastern elevation was accepted by the appeal inspector and was concluded to have a neutral effect on the overall character and appearance of the curtilage listed barn. I therefore do not consider that this proposal to introduce a matching rooflight at the northern end of the roofscape would cause additional harm to the significance of the heritage assets.

It should be noted that piecemeal additions have the potential to cause cumulative harm to significance and these proposals constitute the maximum amount of glazing which would be acceptable on this eastern elevation.

It is significant that the relevant heritage officer considered 4 no. large roof-lights to constitute the maximum no. of roof-lights the building's eastern roof-slope was able to sustain. In this case, only 3 no. small roof-lights are proposed and the application building possesses multiple roofs, the vast majority of which will remain unaffected and uninterrupted.

In the important interest of consistency in decision-making, it is anticipated that the roof-lights here proposed - which adopt an inconspicuous location facing onto an obviously domesticated part of the site, affect only a very small proportion of the building's total roof structures, are of conservation type and provide essential ventilation to secure the ongoing maintenance and good repair of the building's historic fabric - will be assessed to achieve a neutral heritage impact in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, local policies S7, GEN2, ENV2 and H8 and the relevant Historic England guidance notes.

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## Conclusion

It is considered that the proposed roof-lights have acceptable heritage and amenity impacts, demonstrating due compliance with all relevant policies of the Development Plan.

It is the professional opinion of Planning Direct that this application ought therefore to be approved without delay.

The applicant expects the LPA to bring any potential issues arising with the proposal to the attention of Planning Direct at the earliest opportunity, in order that clarifications can be provided and/or solutions agreed where appropriate.

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## Appendix 1: Site photographs



















