
Appeal Decision

Site visit made on 15 August 2017

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 September 2017

Appeal Ref: APP/H1515/W/17/3174312

32 High Street, Ingatestone CM4 9EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by VSA Limited against the decision of Brentwood Borough Council.
 - The application Ref 16/01182/FUL, dated 26 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is to convert office building into five, 2 bedroom flats, together with the erection of an additional 2 bedroom maisonette located in the existing car park.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed extensions and detached dwelling would preserve or enhance the character and appearance of the Ingatestone High Street Conservation Area and the settings of the Grade II listed buildings at 28, 30, 34, 36 and 38 High Street.

Reasons

3. The appeal site is located towards the northern end of the High Street. In its characterisation of this part of the heritage asset, the Conservation Area Appraisal and Management Plan (CAA) refers to 'linear development mostly built up to the pavement edge creating tight enclosure', 'historic architecture from different periods, mainly 16th to early 19th century', varying eaves heights and the importance of architectural detailing. It also refers to backland areas, some with traditional outbuildings, accessed through narrow openings. This is a good summary of the significance of the heritage asset which also captures the character of the vicinity of the appeal site.
 4. The appeal property is an early twentieth century two storey red brick building which was formerly to part of a brewery complex. The gable main roof runs parallel to the High Street and has two smaller gables in its front slope. A later single story flat roof extension spans the full width of the rear of the building. A parking area to the rear is accessed via Woodlands Close.
 5. The appeal property is flanked on both sides by Grade II listed buildings. To the north of Woodlands Close, Nos 28 and 30 comprise a pair of cottages with a Georgian red brick frontage and a hipped roof including two small dormers at second floor level. The Woodlands Close elevation is finished in painted
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weatherboard at first floor level and provides an attractive introduction to Woodlands Close. Abutting the appeal building to the south, Nos 34, 36 and 38 comprise a row of three 17th century cottages. The front elevation is weather boarded and rendered and the roof has two small second floor dormers. The rear of the building includes a pleasant mix of recent alterations and what appear to be earlier roof forms and chimney stacks.

6. The CAA evaluates the contribution which individual buildings make to the Conservation Area and grades the appeal building at 4 (out of a possible 5) on the basis of its design, age, materials and detailing. The flanking buildings are graded at 5 as listed or landmark buildings. I see no reason to disagree with the CAA assessments.
7. Both individually and as a group therefore, these buildings make a strong positive contribution to the character of the Conservation Area. Furthermore, by virtue of its proximity, sympathetic form, design, materials and detailing, the appeal building makes a positive contribution to the settings of the flanking listed buildings. The flat roof rear extension is subservient in scale to the main building and finished in matching red brick. As such, it detracts to a limited degree only from the contribution which the appeal building makes to the heritage assets.
8. The appeal proposal includes a first floor rear extension. It would be the same depth as the existing single storey extension and span slightly more than half the total width of the building. The ridgeline of the gabled roof would be just below the ridge of the main roof and second floor accommodation would be provided, including a window at that level in the rear gable wall. The size and height of the extension now proposed has been reduced compared with an earlier scheme. Nevertheless, I consider that its bulk and scale would not be subservient to the existing building. Unextended, the appeal building would have been somewhat larger in scale than its neighbours. The cumulative effect of the existing and proposed extensions, would create a building whose scale would be out of proportion with the flanking listed buildings. I consider that adding to the bulk of the building would not break up mass of the rear roof main building or the flat roof of the extension.
9. The proposed extension would be set in from the Woodlands Close elevation of the building. Whilst this would, to a degree, lessen its prominence in views from the High Street, by virtue of its height and depth, the extension would still be seen and would close down the space between the appeal building and the attractive flank elevation of No 30. This would be a further indication of the undue bulk of the extended building and would neither preserve nor enhance the setting of No 28/30.
10. The dormers proposed in the front roof slope of the appeal building would, of themselves, be fairly modest in scale. Moreover, other buildings in the area have second floor lever dormers. However, the appeal building's front roof slope currently accommodates two gables which are an integral part of the design of the front elevation as a whole. The addition of two further elements in the roof slope, which would not be well related to the fenestration below, would bring unwelcome clutter to the appearance of the building.
11. The proposed detached dwelling would be set well back from Woodlands Close and the first floor level accommodation would be in the roof space. Nevertheless, the building would be 10m wide and 6m high to the ridge level.

The ground floor bay window and first floor dormers would give the building a domestic appearance. Its scale and design would not, therefore, be consistent with the modest ancillary buildings which characterise backland sites behind other frontages in the High Street.

12. Moreover, the end elevation of the new building would be around 1.5m from the boundary with Nos 34, 36 and 38 and, given the modest size of the rear courtyard, quite close to the rear elevation of the listed building. This elevation makes a position contribution to the significance of the heritage asset. Notwithstanding its half hipped roof, by virtue of its height and proximity, the end elevation of the proposed building would be an imposing presence in this confined space and would not preserve or enhance the setting of the listed building.
13. The new building would reduce the area given over to car parking. However, existing enclosing walls and fences limit the visual impact of the cars. This would not be the case in respect of the new building and, therefore, the reduction in car parking would not outweigh the harm identified above. Nor, in view of the scale and heights of the extension and the new building, would the modest areas of low planting proposed in front of the new building and to the rear of the existing building mitigate the impact of the proposal.
14. The appellant has drawn my attention to recent developments at 23, 60 and 67 High Street. Although the site areas of development at No 23 and the appeal site are similar, the new building to the rear of No 23 has a frontage directly onto Stock Lane, which is a public highway. In terms of its siting and scale, that building fits comfortably with the neighbouring buildings. No 60 also has a direct frontage onto Hasler Court. Its immediate setting is more open and the building does not have an imposing effect on its neighbours. Neither example purports to be an ancillary, backland building in the way that the appeal proposal does.
15. The development at No 67 is a significant distance from the appeal site at the opposite end of the Conservation Area. Whilst it includes a new terrace of dwellings, the terrace is separated from the listed Crown Public House by a considerable distance and what appears to be a replacement building. The overall site area is also larger than the appeal site. As such, I consider that the cited examples do not provide a robust justification for the appeal proposal.
16. Reference has also been made to the Woodlands Close development as a good example of backland infilling. However, its siting, scale and form are not comparable with the appeal proposal.
17. I recognise that the proposed design details external materials would be in keeping with neighbouring buildings. Nevertheless, this would not overcome the concerns set out above. Consequently, I find that the proposal would not preserve or enhance the character and appearance of the Ingatestone High Street Conservation Area or the settings of the Grade II listed buildings at 28, 30, 34, 36 and 38 High Street. It would not, therefore, comply with Policies CP1 (criteria i, iii and viii), C14 or C16 of the Brentwood Replacement Local Plan 2005 (LP). Together, these policies require development to be of a high standard of design which preserves or enhances the character and appearance of conservation areas and the settings of listed buildings. The proposal would also conflict with LP Policy H17 which presumes against dormer windows that are poorly related in design to the roof in which they are installed.

18. Nor would the proposal accord with National Planning Policy Framework (the Framework) paragraph 131 which requires the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness to be taken into account. It would also conflict with the terms of sections 72(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which have similar aims.
19. The harm to the significance of the heritage assets would be less than substantial and, therefore, Framework paragraph 134 requires it to be weighed against the public benefits of the proposal. I consider this in the Planning Balance below.

Planning Balance and Conclusion

20. The Council accepts that it cannot demonstrate a five year supply of housing land as required by the Framework. The appellant puts the figure at 2.7 years, which amounts to a considerable shortfall. Whilst the Council is seeking address this matter through the emerging Local Plan, it has not disputed that there is currently a shortfall. In these circumstances Framework paragraphs 14 and 49 advise that relevant policies for the supply of housing should not be considered up to date. However, the policies I have relied on deal with matters of conservation and character and appearance rather than the supply of housing. Nor is there anything to suggest that they are otherwise inconsistent with the Framework. As such, they can be afforded full weight.
21. The proposal would provide six additional residential units in a sustainable location. However prior notification application reference 16/00116/PNCOU would allow the conversion of the appeal property to four units. Whilst the new building would add to the variety of units provided, the overall net gain of two units arising from the appeal proposal would be very modest in relation to the housing needs of the Borough as a whole. There is nothing to suggest that the prior notification scheme would cause harm to the heritage assets. Consequently, notwithstanding that Framework paragraph 47 seeks to significantly boost the supply of housing and paragraph 50 seeks a wide choice of high quality homes, I find that the proposed housing would make only a limited contribution to the social role of sustainability.
22. Expenditure by future occupiers could be expected to contribute to the local economy although, since the net addition would be only two households, the extent of the benefit would be very limited. The proposal would also bring economic benefits through the expenditure and employment during the construction works. However, this would be short term only. Consequently, I consider that the economic benefits of the proposal would be modest.
23. The appellant has referred to other benefits of the proposal. I have taken into account the design of the scheme, its roofscape, the reduction in the car parking area and the landscaping proposals in my consideration of the main issue. They do not, therefore, amount to additional environmental benefits.
24. The harm to the conservation area and the settings of the listed buildings should be accorded great weight and are underpinned by development plan policies which carry full weight. I find that this harm would not be outweighed by the public benefits of the proposal. As such, the proposal would not amount to sustainable development. Since harm to heritage assets is a restrictive

policy for the purposes of Footnote 9 to Framework paragraph 14, it is not necessary to consider the 'tilted balance'.

25. I have had regard to the other concerns expressed locally, but none has led me to a different overall conclusion. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR