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## Appeal Decision

Site visit made on 3 December 2019

**by G Pannell BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19<sup>th</sup> December 2019**

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**Appeal Ref: APP/M1595/D/19/3235483**

**The Olives, Rectory Road, Orsett RM16 3EH**

- 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 Terri Lines against the decision of Thurrock Borough Council.
  - The application Ref 19/00528/HHA, dated 1 April 2019, was refused by notice dated 3 June 2019.
  - The development proposed is part single/two storey rear and side extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the development on the character and appearance of the Orsett Conservation Area and on the setting of nearby listed buildings.

### Reasons

3. The appeal site is located directly adjacent to the Orsett Conservation Area (CA) and to two Grade II listed buildings, The Larches and the Stable Range to the North of The Larches (Stable Range), which are the heritage assets relating to this appeal. The Stable Range was subdivided from The Larches in 1986 and now comprises a separate dwelling and is now known as The Old Bakery. For the purposes of this appeal I have referred to this building as the Stable Range as per the listing description.
4. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the LBCA Act') requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications.
5. Paragraph 193 of the National Planning Policy Framework ('the Framework') states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.
6. Paragraph 200 of the Framework requires new development within the setting of a Conservation Area to enhance or better reveal its significance. The Framework defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced."

7. The Olives is one of three twentieth century detached properties which due to their age and appearance, form a uniform group which is visible from the northern approach to the CA.
8. This part of the CA is characterised by a group of buildings which are set close to the edge of the pavement, The Larches and the Stable range. These buildings are Grade II listed and are early 19<sup>th</sup> Century, both constructed of yellow stock brickwork with grey slate roofs. Although now subdivided, the similarities in construction mean they are still read as a group and it is clear that the buildings were historically associated with one another. These buildings together with The Ramblers frame the long vista to the countryside over the extended village to the north.
9. Whilst The Olives does not respond to the local character of the CA, its simple massing forms part of a consistent group which is markedly different in character and therefore provides a clearly defined boundary to the CA.
10. The two storey massing of The Olives is currently separated from the CA and the listed buildings by the existing single storey garage, and this visual separation contributes to providing a clear transition between the more modern development of Penn Close and the historic settlement.
11. The proposed first floor extension and the introduction of a hipped roof over the existing garage would enclose the visual gap which currently exists between the properties and increase the massing of development in close proximity to the boundary with the Stable Range.
12. This gap currently enables views of the Stable Range, which extends along the boundary with The Olives and comprises two 2-storey blocks linked by a single storey range. The introduction of a first floor extension would interrupt views of the end gable of the two storey block which sits behind the frontage block and currently remains visually uninterrupted. The development, having regard to its size, scale and massing would encroach upon the setting of the listed building.
13. The existing building is one of three modern dwellings which front Rectory Road. The other two buildings, Wayside and Ferndown have both been modernised with updated fenestration and Wayside has been extended and partially clad in boarding. The proposal would involve the modernisation of Olive Cottage with the introduction of render and grey anthracite windows. I consider that the changes to the external appearance of the building would improve the appearance of the building. I do not consider that the use of materials would result in an adverse impact on the setting of the heritage assets.
14. The design of the proposed extensions would be subservient to the host dwelling and would not result in an overdevelopment of the existing plot. This is due to the limited increase proposed to the ground floor footprint, with the majority of the increase being located to the rear of the property. The existing garage is currently positioned at an angle to the road and the extension and alterations proposed to it would enable a more traditional frontage
15. Whilst I have not identified any harm with regard to the use of materials or the design of the extension, the proximity of the proposed first floor extension and its overall scale and massing would result in less than substantial harm to the

setting of the listed buildings of The Larches and the Stable Range. It would also harm the setting of the CA.

16. Paragraph 193 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given that the proposal would be of a relatively small scale, I find the harm to the setting of the listed buildings to be less than substantial in this instance but nevertheless of considerable importance and weight.
17. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant submits that the proposal would result in the modernisation of the property, enabling enlarged family accommodation. However, these are private benefits. Therefore, I have identified no public benefit sufficient to outweigh the harm.
18. The proposal would, therefore, fail to preserve or enhance the setting, and thereby the significance of, the designated heritage assets of the Grade II Listed Buildings The Larches and the Stable Range. It would also harm the setting of the CA and would not accord with the policies of the Framework which seek to conserve and enhance the historic environment. It would be contrary to policies PMD2, PMD4, CSTP22, CSTP23 and CSTP24 of the Thurrock Local Development Framework, Core Strategy and Policies for Management of Development 2015. These policies require development to be of an appropriate and high quality design which contributes positively to heritage assets and enhances historic features, including their settings.

### **Conclusion**

19. For the reasons given above I conclude that the appeal should be dismissed.

*G. Pannell*

INSPECTOR