

Appeal Decision

Site visit made on 15 January 2020

by C J Leigh BSc(Hons) MPhil MRTPI

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

Decision date: 10th February 2020

Appeal A Ref: APP/J1535/W/19/3237649

Honeysuckle Cottage, Curtis Mill Lane, Stapleford Abbots, Romford, RM4 1HS

- 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 Mr & Mrs A Gregory against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2215/18, dated 10 August 2018, was refused by notice dated 17 July 2019.
 - The development proposed is the erection of a one and a half storey dwelling attached to the listed building by a glazed link.
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Appeal B Ref: APP/J1535/Y/19/3237651

Honeysuckle Cottage, Curtis Mill Lane, Stapleford Abbots, Romford, RM4 1HS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs A Gregory against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2221/18LB, dated 10 August 2018, was refused by notice dated 17 July 2019.
 - The works proposed are the erection of a one and a half storey dwelling attached to the listed building by a glazed link.
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Decision appeal A Ref: APP/J1535/W/19/3237649

1. The appeal is dismissed.

Decision appeal B Ref: APP/J1535/Y/19/3237651

2. The appeal is dismissed.

Main issues

3. The main issue in Appeal A is, as the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness and any other harm would be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal. Further main issues in Appeal A are the effect of the proposed development on the openness of the Green Belt and the effect of the proposal on the special architectural and historic interest of the listed building.
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4. The main issue in Appeal B is whether the proposal would preserve the Grade II listed building of Honeysuckle Cottage and its setting, and any of the features of special architectural or historic interest that it possesses.

Reasons

Green Belt

5. The main parties have agreed that the proposal would represent inappropriate development in the Green Belt as defined in the National Planning Policy Framework, due to being a disproportionate addition to the original building. I concur with that position.
6. There would be a material reduction in the openness of the Green Belt by adding a substantial volume of building on the appeal site where there is currently no development. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl and keep land permanently open, and that the essential characteristics of Green Belts are their openness and permanence. The siting and scale of the proposed development would directly contravene this purpose and I attach significant weight to this harm to openness.
7. It is thus concluded on the first issue that the size, position and scale of the proposed development would harm the openness of the Green Belt. The proposal represents inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the Framework. I attach substantial weight to this harm. The volume and siting of the proposed development would also intrude upon the wooded and rural landscape character of the area, which would conflict with Policy DBE4 of the adopted Epping Forest District Local Plan 1998 that, amongst other matters, seeks to ensure new buildings in the Green Belt respect the landscape character of a site.

Listed building matters

8. Honeysuckle Cottage dates from the late 17th Century, and is a small timber-framed cottage. It is single storey with low attic rooms, and a large brick chimney stack on the eastern end. An early 20th Century extension lies to the western side of the house. The interior displays much of the original timber structure, bracing and detail of the house. The list description comments that the building is '*an unusually unspoiled example of a simple vernacular dwelling of its period*', and that is certainly the case: it is a building of considerable significance due to the clear layout of this simple house, the retention of original features both externally and internally, the age of the property, and its existence as a remarkably well-preserved example of typical houses of this period.
9. The property is, though, in a perilous state. I saw the poor state of repair to the roof and structure of the building, and to the interior which, I understand, has been the subject of a number of break-ins. It is also evident the property lacks basic amenities. The main parties agree that some form of 'enabling development' on the site may secure the restoration of the Cottage.
10. The scheme shown in these appeals is a large addition to the site. The new house would have a ridge height of around 7.6m, with an L-shaped form

whereby the two wings of the house would be comparable in length to the Cottage. The new house would be linked to the Cottage by a short glazed addition. These matters combine to create a building that would be very dominant on the site due to the size and proximity, and overwhelm the appearance of the small Cottage. The overbearing effect would be significant, and not mitigated by the reduction in levels for the new house; indeed, the artificial lowering of the site around the new house directly behind the Cottage would only serve to highlight the incongruity of the scale and siting of the new building.

11. This harmful effect would be emphasised by the design and form of the new building. There is no obvious relationship between the new house, which is shown as a relatively conventional slate-pitched roof house with timber boarded walls. The form, design and fenestration of the house are simple, but they do not display any particular awareness of the need to relate to the distinctive and important form of the listed building, or its openings, or the junction with that building, or details on these matters.
12. I am further concerned that the submission makes little reference to what are the intentions for the listed Cottage: the proposed dwelling appears self-contained with three bedrooms, with the small glazed link to the Cottage. There is no indication that the Cottage is an integrated part of the house, or that it would form part of a cohesive dwelling. Thus, based on the level of information presented to me, it appears the scale, design and layout of the proposal would lead to the listed building being very much the minor element in the scheme: the site would become a large 3-bedroom modern house overwhelming a relatively small former cottage building. I am not persuaded that the benefits to the listed building are clearly defined and the works are the minimum necessary to achieve the benefits, nor how the conservation of the heritage asset would be secured in the scheme before me.
13. Under s16 and s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a duty to have special regard to the desirability of preserving a listed building or its setting. The scale, siting, proximity, design and layout of the proposed works would have a negative effect on the special architectural and historic interest of Honeysuckle Cottage and on its setting. Harm would be caused to the significance of the heritage asset, and I attach considerable importance and weight to this harm.
14. Paragraph 194 of the National Planning Policy Framework states that any harm to the significance of a designated heritage asset should require clear and convincing justification. Due to the considerable interest arising from the Cottage due to it being an unusually unspoiled dwelling of its period, the harm arising in this appeal is substantial.
15. In these circumstances paragraph 195 of the Framework says consent should be refused unless it can be demonstrated the substantial harm is necessary to achieve substantial public benefits that outweigh the harm. The appellants' have pointed to the restoration of the Cottage. The preservation of the building and reducing or removing risks to a heritage asset can reasonably be treated as an appreciable public benefit. However, the scale, siting and design of the works as proposed in this appeal are not the only way to convert and/or extend the building to provide a restored dwelling on the site. The public benefits of

the proposal therefore do not outweigh the considerable importance and weight to be given to the harm to the designated heritage asset.

16. Paragraph 195 also sets out four specified criteria that may apply in the case of there being substantial harm to a designated heritage asset. I am not persuaded that the nature of the heritage asset prevents all reasonable uses of the site as referred to in Criterion a) of paragraph 195: as noted above, I consider that the scale, siting and design of the works proposed in this appeal are not the only option for this site. I have not been made aware of any issues relating to viability, marketing or grants relating to the site, and so cannot conclude that Criteria b) and c) are satisfied. With regards to Criterion d), I have found that the harm would not be outweighed by bringing the site back into use as proposed in this appeal. Thus, the four criteria are not met.
17. It is therefore concluded that the proposed development would harm the listed building and its setting, and so would be contrary to Policies HC10 and HC12 of the Local Plan 1998, and Policy DM7 of the emerging Epping Forest District Local Plan (Submission Version) 2017, whose objectives include ensuring that works do not harm the historic interest or architectural character of listed buildings, or their settings. There would also be conflict with Section 16 of the Framework.

Other considerations

18. The Framework advises that 'very special circumstances' to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
19. In this instance there is harm to the significance of the designated heritage asset, the loss of openness to the Green Belt, and landscape harm to the Green Belt. The appellants have cited the benefits arising due to the restoration of the listed building, and I am mindful of the advice at paragraph 202 of the Framework that refers to an assessment as to whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies. However, I have commented how the scheme before me would not outweigh the harm to the heritage asset and so in this instance I attach little weight to this matter.
20. I therefore do not consider the matters raised in support of the proposals to clearly outweigh the substantial weight which must be attached to the harm to the Green Belt by reason of inappropriateness and the other harm that exists.

Conclusion

21. I note that both a pre-application enquiry and the formal applications took a very long time to be determined by the Council. Given the state of the listed building and its significance as a heritage asset that is a poor response by the Council and is worthy of admonishment. The appellants may have agreed to an extension in the determination period, but the correspondence provided to me indicates they did this due to reluctant pragmatism, rather than it being a positive aspect of case management.

22. I am also aware that a previous Officer at the Council was positive towards the design of the development. However, the formal decision by the Council was, of course, refusal. There is a degree of judgement in some of the issues in this case and I have concurred with the Council's formal decision. Hence, for the reasons given, the conflict with national and local planning policy remains and this means that the appeals fail.

C J Leigh

INSPECTOR