



Appeal Decision

Site visit made on 12 February 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2020

Appeal Ref: APP/B5480/W/19/3241125

Ivy Holt North Road, Havering-atte-Bower, Romford, Essex RM4 1PS

- 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 Butcher against the decision of the Council of the London Borough of Havering.
 - The application Ref P0715.19, dated 27 April 2019, was refused by notice dated 19 July 2019.
 - The development proposed is demolition of office/store and erection of four bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Within their evidence, the Council refer to the emerging Havering Local Plan 2016-31 (HLP). The HLP is yet to be adopted and is therefore subject to change. Consequently, the emerging plan carries limited weight in my decision.
3. On 13 February 2020, the Government published the results of the 2019 Housing Delivery Test (HDT). The results indicate that, when applying footnote 7 of the National Planning Policy Framework (the Framework), the presumption in favour of sustainable development contained within paragraph 11(d) of the Framework would be relevant to the proposed development. The main parties were provided an opportunity to comment on this matter. I have taken the comments raised into account within my decision.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on the character and appearance of the Havering-atte-Bower Conservation Area (CA) and the setting of Ivy Holt, a Grade II listed building.

Reasons

5. Havering-atte-Bower is a village of medieval origin, although no medieval buildings remain and the mix of housing styles and ages which now exist give it a varied character. It retains near complete separation from nearby suburban development, and the surrounding countryside provides a strong rural setting which complements areas of open space within the village. Along with much of the rest of the village, the appeal site is part of the Havering-atte-Bower CA. The Havering-atte-Bower CA Character Appraisal and Management Proposals (CAMP) document highlights that the CA derives much of its significance from

- the village's surviving form and characteristics which are focused around the village green, as well as the listed buildings which are present within the area.
6. As it runs from the village green towards Bournebridge, North Road hosts buildings of a mix of types and ages, including Ivy Holt which is adjacent to the appeal site. This dwelling is a Grade II listed building dating to the early C19. The building has been extended, but retains notable architectural details including the double pile layout with parallel shallow pitched roof forms and prominent chimneys, bay windows at ground floor level, and a verandah which extends across the front of the building.
 7. The appeal site shares an access with Ivy Holt, and the Council indicate that it forms part of the original plot of the listed building, although it is now in use as a builders yard. There is a single-storey building referred to by the appellant as an office/store on the site's boundary with the adjacent locally listed Dame Tipping C of E Primary School, while the rest of the site predominantly comprises areas of open and covered storage.
 8. Despite the existing use of the site and presence of materials and vehicles, the limited extent and scale of built form provides for spaciousness around the listed building. As well as contributing to its setting, this spaciousness distinguishes the listed building from nearby development which is generally more closely related to its boundaries. There are gates provided to the main part of the site, but these are set back from the front of Ivy Holt and so do not significantly obscure views from North Road which allow an appreciation of the form of the listed building and its open setting,
 9. As the site lies within the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. In considering whether to grant planning permission for development which affects a listed building or its setting, Section 66(1) of the Act also requires that I have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
 10. The National Planning Policy Framework (the Framework) further advises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance, and that any harm or loss to designated heritage assets requires clear and convincing justification.
 11. As part of the proposed development, the existing single-storey building on the appeal site would be demolished, but this is in poor condition. I have no evidence which points to any significant historical association of the building with Ivy Holt or the CA, or to contradict the Council's assessment that this dates from after 1948. In this context, I am satisfied that the demolition of this building would not result in any unacceptable harm to the CA or to the setting of Ivy Holt.
 12. However, the proposed dwelling would be two-storey in height and would occupy the majority of the width of the appeal site. Although it would be positioned slightly behind the front building line of Ivy Holt, the development would significantly diminish the spacious setting which is currently afforded to the listed building. This would be particularly notable in views from North Road

where, in addition to reducing the ability to appreciate Ivy Holt within its setting, the development would obscure views of the building's unusual form.

13. As a consequence of the lower land level of the appeal site, the ridgeline of the proposed dwelling's roof would be set down from that of Ivy Holt. While it would also be of lesser width, the height of the building would be comparable to Ivy Holt and as a consequence would compete visually with the listed building. The impact of this competition would be further exacerbated by the double pile layout, roof form and arrangement of fenestration to the proposed dwelling which would be evocative of the design of Ivy Holt. As a result, the proposal would also harm the status of this building on the site and consequently its significance.
14. The separation between the proposed dwelling and its boundaries would additionally be very limited. This would cause the dwelling to appear cramped on its plot, and would also erode the setting of the adjacent school which is identified within the CAMP as contributing to the significance of the CA. Together with the loss of openness on the site and the harm to the setting of Ivy Holt, I therefore find that the development would be an intrusive feature within the historic form of the village. This would be to the detriment of the character and appearance of the CA.
15. Taking all of these factors into consideration, the proposal would fail to preserve or enhance the character or appearance of the CA and would result in significant harm to the setting of Ivy Holt. In the terms of the Framework, this harm would be less than substantial, and the Framework advises that the harm should be weighed against the public benefits of the proposal.

Heritage Balance

16. I acknowledge the existing use of the site as a builder's yard and its informal appearance. However, there is no substantive evidence to demonstrate that the existing use is detrimental to the residential occupation of Ivy Holt.
17. I accept that removal of the existing development from the site could offer opportunities for enhancement of the character and appearance of the site and area. However, given the relatively low level of the existing structures and materials on the site, it does not detract significantly from the character or appearance of the CA. Similarly, the existing development is subordinate to Ivy Holt. It affords a spacious setting to the listed building and enables appreciation of it as a building of some significance within a generous plot. I acknowledge the proposed use of traditional materials within the development. Nevertheless, I have found that the dwelling which is proposed in place of the existing builders yard would be harmful to the character and appearance of the CA and to the setting of Ivy Holt. I am not therefore persuaded that the removal of the existing use and development would, in this case, represent a benefit in favour of the proposal.
18. The absence of identified harm, including to available views or the living conditions of future or neighbouring occupiers are neutral factors in the planning balance which do not weigh either for or against the proposal.
19. The proposed development would provide for an additional dwelling which would add to the supply of housing locally. It would also offer some support for local services and thus the future vitality of Havering-atte-Bower. Even so,

while I acknowledge that the 2019 HDT results indicate that the delivery of housing in the Borough was substantially below the housing requirement over the previous 3 years, the benefit to the supply of housing and the vitality of the village of the one additional dwelling proposed would be limited.

20. Ivy Holt and the CA are designated heritage assets and in accordance with paragraph 193 of the Framework, great weight should be given to the assets' conservation. The harm that the development would cause would be less than substantial, but I nevertheless give this harm considerable importance and weight. In this context, I find that the public benefits of the proposal would not outweigh the harm to the CA and the harm to the setting of the listed building.
21. In conclusion, I find that the development would cause unacceptable harm to the setting of Ivy Holt and to the character and appearance of the Havering-atte-Bower CA. Accordingly, the proposal would conflict with Policies CP18, DC61, DC67 and DC68 of the Core Strategy and Development Control Policies Development Plan Document 2008 and Policy 7.8 of the London Plan – The Spatial Development Strategy for London Consolidated with Alterations Since 2011. Together, these policies broadly seek the conservation and enhancement of heritage assets.

Other Matters

22. Paragraph 11(d) of the Framework establishes a presumption in favour of sustainable development. With regard to the 2019 HDT results, footnote 7 to the Framework indicates that the policies which are most important for determining the proposal would be considered out-of-date. In these circumstances, the Framework advises that permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
23. However, I have already found that policies within the Framework relating to heritage assets indicate clearly that development should be restricted in this case. Accordingly, and with regard to the provisions of footnote 6 of the Framework, the presumption in favour of sustainable development does not apply in this case.
24. The appeal site is located within the Green Belt. I note that the main parties indicate that the proposed development would be considered an exception to inappropriate development as defined within the Framework. However, as this is not a matter which could alter my findings on the main issue, it has not been necessary for me to consider this further as part of my decision.

Conclusion

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

J Bowyer

INSPECTOR