



Appeal Decision

Site visit made on 15 March 2021

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/J1535/W/20/3262261

4 Little Goldings, The Barn, Clays Lane, Loughton, IG10 2RZ

- 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 Ian Harris against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/1485/20 dated 8 July 2020, was refused by notice dated 15 October 2020.
 - The development proposed is alterations and extensions to detached house including first floor extension over garage and utility and first floor back extension over back of kitchen and detached garage with guest bedroom and ensuite over.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarification, the application was originally made in the name of Mr Ian Harris. It has been confirmed that the appellant, Mrs Debora Harris, is the wife of the original applicant who also resides at the appeal site address.

Main Issues

3. The main issue is the impact of the proposal upon the character of the host building as a non-designated heritage asset and the design of the proposed garage building.

Reasons

4. The appeal site is a former barn understood to previously have been part of a larger complex of agricultural buildings. The site is not listed but is on the Local List and is thus considered to be a non-designated heritage asset. A lack of further designation, such as Green Belt or Conservation Area, is a neutral consideration. The National Planning Policy Framework 2019 (the Framework), paragraph 197, requires the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.
5. The site is a four-bedroom barn conversion which was converted in the 1950s. The site has historic, architectural and social value as a result of the documented association with Rudyard Kipling. From the evidence before me it would appear that the setting of the site has evolved having previously been only surrounded by fields until the 20th Century. Both parties confirm that the appeal site itself has already undergone many changes. I find that this has

already started to erode the original character, of what was a rural building, and that this means that even more care needs to be taken to protect the functional agricultural character of the site which remains within future proposals. Despite the noted changes I find that the site is still indicative of the character of the original site. The former agricultural building is still readable and the building still remains an attractive one as a result of features such as the external materials, catslide roof and midstretelement.

6. The setback and height of the existing garage mean it is subservient to the main house which, from the front elevation, allows maintenance of attractive symmetry for the house itself. The proposed first-floor extensions are acknowledged to be over the existing footprint, however, the difference between the proposal and the existing ridge height is minimal and they would not read as subservient. The combined proposals are extensive and would add a further two bedrooms, three ensembles and creation of new garaging to allow the existing garage to be utilised as a gym.
7. The cumulative impact of both the scale and design of the proposals to the house itself, along with the garage immediately adjacent, I find would engulf the existing dwelling and its setting. It would also bring development in excess of a single storey immediately up to the Northern and Southern site boundaries. I do not find the scale of the proposals, cumulatively, respects the character the host dwelling nor respects its significance as a non-designated heritage asset. Furthermore, I find that the provision of additional domestic features, not generally seen in rural buildings, would further erode the character of the building and thus cause moderate harm to the non-designated heritage asset as a result of it being, I find, overwhelmed by the proposals. Use of fire rated feather boarding and enhancements to carbon footprint are noted but do not outweigh the harm which has been found overall with regard to general design and scale.
8. The appellant makes reference to development in the area including demolition of the former stable block and a previous planning consent, at the appeal site, for a double side extension (EPF/0330/95) that was never completed. The previous consent was granted circa 25 years ago and would have been granted under the relevant policy and legislation at the time. Despite this I have no details before me as to the developments referenced which allows me to attribute limited weight to them within the determination of this appeal. Notwithstanding this each case must be considered on its own merits. The starting point for the determination of this appeal is the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 taking into account relevant material considerations.
9. The outbuilding is proposed as a detached garage with guest bedroom and ensuite. The Council are clear that, despite its large scale, they find this element remains subservient to the barn and it is acceptable in that regard. I find no reason to conclude differently considering this element in isolation away from the extensions to the dwelling itself. The refusal reason is based upon the provision of dormer windows being clear domestic features which are unexpected on a functional building such as a garage.
10. I find that the provision of two dormer windows in the front elevation of the proposed building inappropriate in so far as they would cause it to present as overly domesticated instead of an ancillary outbuilding in a semi-rural setting.

11. The proposal would be contrary to Combined Policies of Epping Forest District Local Plan (1998) and Alterations (2006) (2008) (LP) Policy CP2 which seeks to maintain, conserve and improve the quality of the rural and built environment by conserving countryside character, in particular heritage qualities and LP Policy DBE10 which requires residential extensions to complement the existing building by paying attention to scale of the existing building.
12. The proposal would also be contrary to Epping Forest District Local Plan Submission Version 2017 (LPV) Policy DM7 which requires proposals that affect local heritage assets detailed on the local list to demonstrate how they retain the significance, appearance, character and setting of the asset, LPV Policy DM9(D) which seeks to achieve high quality design which contributes to the distinctive character of the local area and LPV Policy DM10 which requires residential extensions to respect and/or complement the form and setting of the original building.
13. The Framework is a material consideration within the determination of this appeal. The proposal would be contrary to paragraph 124 which states that good design is a key aspect of sustainable development and paragraph 127 which seeks to ensure developments are sympathetic to local history and character. The proposal would also be contrary to paragraphs 184, 189, 192 and 197 which collectively seek to appropriately assess and protect proposals affecting heritage assets.

Other Matters

14. I note the comments and objections on this application and I have dealt with much of what has been raised within the main body of this decision letter. Had the proposal been acceptable in other regards a condition could have been placed upon the proposed garage/annexe to control its use to ancillary/guest accommodation only, thus preventing it from becoming a new dwelling in its own right. The Town Council comments are noted in relation to concern over a possible increase in occupants, however, if the proposal had been approved it would still remain a single dwelling within Use Class C3 even with the additional bedrooms created.
15. The Council have not raised loss of light nor impact upon privacy within their reason for refusal and also conclude that there would be limited impact to No. 3 Little Goldings in terms of overbearing and visual impact. I have no evidence before me to conclude differently on these matters. Access and rights of way are private matters. Had the proposal been acceptable a condition could have been utilised to require a Construction Management Plan in order to protect the amenity of neighbouring residents during the construction phase as could obscured glazing to the flank windows to protect neighbouring occupiers from harmful overlooking.

Conclusion

16. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR