
Appeal Decision

Site Visit made on 3 August 2021

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2021

Appeal Ref: APP/M1595/W/21/3266542

2 Hall Lane, South Ockendon, RM15 6SH

- 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 Matthew Harding against the decision of Thurrock Borough Council.
 - The application Ref 20/01276/FUL, dated 22 September 2020, was refused by notice dated 24 November 2020.
 - The development proposed is development of a single-storey, 1-bedroom dwelling attached to the adjacent 2 Hall Lane dwelling and reconfiguring the existing dwelling's rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised on 20 July 2021 and the Council and appellant have had an opportunity to comment on the implications of this.
3. The proposal before me follows the dismissal of a related appeal on the same site, APP/M1595/W/19/3241330. Whilst each case must be determined on its own merits, I have had regard to this decision in the determination of the appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area and on the setting of designated and non-designated heritage assets.

Reasons

5. The appeal site comprises an area to the side of 2 Hall Lane which was formerly part of that property's garden and is enclosed on two sides by a low level brick and rubble wall. The existing dwelling sits at the entrance onto Hall Lane, which continues towards South Ockendon Hall and is characterised by loosely spaced development, with pairs of semi-detached two storey dwellings set back from the road, set within larger plots. It is the overall spacing and undeveloped frontages which extend beyond the appeal site which contribute positively to the rural character of the area.

6. The entrance to Hall Lane is located to the east of the South Ockendon Green with the Grade II Royal Oak Inn, sitting prominently within it and is flanked by 1 & 2 Hall Lane. These properties have a distinctive, gothic appearance and form a pair of possible lodges associated with South Ockendon Hall, taking into account their position at the entrance to the Lane. They have been identified as non-designated heritage assets and their significance is derived from their setting and the association they have with both Hall Lane and South Ockendon Hall as part of the history and development of the hall complex.
7. Hall Lane is the historic approach to the Hall, the Grade II listed Gateway and Moat Bridge, and the Schedule Ancient Monuments of South Ockendon Hall and a Roman Barrow. Their significance is derived from their association with the former Hall, a prestigious manor house that previously occupied the moated site. The significance of the Roman Barrow is derived from it being a rare surviving example of a Roman burial mound, that has been largely undisturbed. The setting of these monuments is derived from the wide rural landscape on the edge of a densely populated village.
8. As a result, the transition provided by Hall Lane from the dense pattern of village development to the more loosely arranged and open development is an element of the setting of South Ockendon Hall which contributes to its overall importance. Furthermore, as the only access to the designated heritage assets it has an important role in its contribution to the setting of the assets.
9. The proposal leads to the introduction of a further dwelling along Hall Lane and would occupy the majority of the width of the site. The extension would be greater than the width of the original dwelling and despite attempts to replicate the original detailing would visually, as a result of its overall size and scale, compete with the original dwelling.
10. Although the garden areas for both the existing and proposed dwelling would be adequate in terms of required space standards, the proposed dwelling would lead to a more intensive use of the site. This would include an associated increase in domestic paraphernalia, with both the parking and turning area and bin storage located at the front of the site. This has the effect of eroding the open and rural character of the immediate area and the site's location, at the entrance to Hall Lane, makes it particularly sensitive to change.
11. The development would result in an increase in the density of development within the locality, which is generally characterised by loosely spaced development. This increased density would lead to an urbanising affect which would be both out of character and harmful to the overall character and appearance of the area.
12. The introduction of development in this location would not be compatible with the layout of surrounding development. Therefore, the proposed development would have a significantly harmful effect on the undeveloped and spacious characteristics that contribute to the existing pattern of development in the surrounding area and the setting of No 1 and 2 Hall Lane, as non-designated heritage assets, and the part of the setting, around the entrance to Hall Lane, of the designated heritage assets which are sited further down Hall Lane.

13. I have also considered the effect on the Grade II Listed Royal Oak Inn, its significance derived from its architectural features and historic interest, including its relationship with the village green. Having regard to the degree of separation between the two sites, I consider that even developed, the site would not have a significant impact on how the listed building would be appreciated from within the street scene or the elements that form its setting. I conclude that the development would not result in harm to the setting of the listed building, Royal Oak Inn.
14. I have had regard to the evidence provided in the form of historic mapping which illustrates that the garden of No 2 was previously subdivided and that a separate building occupied part of the site. However, this building has not existed for a significant period of time and furthermore was considerably smaller than the proposal and as such would not form a historic precedent for development of the scale or form proposed.
15. I have fully considered the submitted heritage statement but none of the matters raised alters my conclusion that the proposed development would be harmful to the setting of designated and non-designated heritage assets, and thereby their significance.
16. Paragraph 199 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 be less than substantial in this instance but nevertheless of considerable importance and weight and in accordance with paragraph 202 of the Framework, that harm should be weighed against any public benefits of the proposal.
17. The site would give rise to some economic benefits during the construction phase and I consider that there would be modest social benefits arising from the contribution to the Council's housing supply, noting paragraph 69 of the Framework which highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. However, these modest benefits are not considered to outweigh the identified harm to which I must attach considerable importance and weight.
18. The proposal would, therefore, fail to preserve or enhance the setting, and thereby the significance of, the designated heritage asset. It would not accord with the policies of the Framework which seek to conserve and enhance the historic environment and would be contrary to policies PMD4 and CSTP24 of the Thurrock Local Development Framework, Core Strategy and Policies for Management of Development 2015 (CS). These policies seek to ensure that the historic environment is protected and enhanced in accordance with their significance and that new development is the most appropriate for the heritage asset and its setting. It would also be contrary to policies PMD2 and CSTP22 of the CS which promotes high quality design which responds to the sensitivity of the site and its surroundings.

Other Matters

19. On 19 January 2021, the Government published the 2020 Housing Delivery Test (HDT) results. The HDT results show that Thurrock Borough Council has delivered 59% of its housing requirement over the latest 3-year period. Consequently, the presumption in favour of sustainable development contained within paragraph 11 d) of the Framework is of relevance. However, in this instance because the policies in the Framework relating to heritage assets prove a clear reason for refusing the development proposal, paragraph 11 d) of the Framework is not engaged.

Conclusion

20. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework and its presumption in favour of sustainable development, that outweigh this conflict.
21. For the reasons outlined above, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR