
Appeal Decision

Site visit made on 20 September 2021

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 13 October 2021

Appeal Ref: APP/J1535/W/20/3260253

Bush Grove Farm, Mount Grove, Theydon Mount CM16 7QQ

- 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 Nicholas Becker against the decision of Epping Forest District Council.
 - The application Ref EPF/2371/19, dated 1 October 2019, was refused by notice dated 21 April 2020.
 - The development proposed is the conversion of a barn into new residential accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was refused by the Council, an agreed approach to mitigation in relation to air quality in relation to the Epping Forest Special Area of Conservation (SAC) has been published and the appellant has submitted a planning obligation in this respect and in relation to mitigation of other effects. Therefore, I consider that the Council's concerns in this respect have been met.
3. Following receipt of the appellant's grounds of appeal, the Council has sought to clarify its intended opposition to the proposal contained within the second reason for refusal. Whilst there is some degree of ambiguity, I have taken the Council's statement to mean that its opposition within this reason relates to the effects on the rural character of the area and is not an allegation that the dwellings would be unacceptably isolated.

Main Issues

4. The main issues in this appeal are;
 - The effects of the proposal in relation to the historic environment
 - The effects of the proposal on the rural character of the area.

Reasons

Historic Environment

5. The appeal site is located on the west side of Mount Grove and accommodates a barn. The site is surrounded by open land and is located within the Hill Hall

Conservation Area and Hill Hall Registered Park and Garden. About 150m to the north is the Grade I listed Church of St Michael The Archangel and further to the north west is the Grade I listed Hill Hall.

6. Hill Hall is a substantial country house and an early example of Renaissance brick house. It is said to have been built between 1569-75 possibly replacing an earlier house occupied since the 12th century, on the same site. The Registered Historic Park and Garden (Grade II) covers over 50 hectares, substantial parts of which were designed by Repton in 1791. The listed Church is said to have been erected by the then owners of Hill Hall in 1614 and is of red brick and stands within its churchyard surrounded by open countryside. The Conservation Area has obviously been designated due to the importance of the large surrounding area to Hill Hall.
7. Whilst there have obviously been some changes to the landscape over the centuries, the notable and strong character of the area is one of open, rural landscape. The 2 listed buildings stand within the open land which provides a rural setting which is an important contributor to their significance. The appellant refers to the presence of stabling, fencing and electricity pylons and states that these have had an effect on the contribution of the setting of the listed buildings. With regard to the stables and fencing, I see these as low-level structures which provide for appropriate and expected uses in this rural landscape and have a negligible effect. The pylons have an obvious and negative visual effect on the area.
8. The existing building on the appeal site appears as a barn and is referred to by the appellant as an 'un-used barn'. It is partly open sided with some timber cladding. Photographs submitted by the appellant show it accommodating bails of hay. The appellant also states that it is used for private storage, not connected with any agricultural use. The Council considers it as an agricultural building and states that there is no Certificate to confirm its use as anything else; whilst the appellant has submitted a declaration to reinforce his position. What is clear is that the building has a strong agricultural appearance and character; it appears consistent with the landscape and uses of the surrounding land.
9. The proposal is to convert the existing building to 3 houses. The overall shape and size of the building would remain unaltered. Notwithstanding the appellant's claim, I consider that the proposed conversion would bring about a building that would be significantly different in appearance and character to the existing one. The provision of doors, windows, different materials, domestic parking and gardens would all result in an obviously domestic appearance. Whilst I have noted the proposed use of materials, I do not consider that this would go any way to disguise the obvious change to the use and character of the site.
10. Views of the site and the existing building from the listed Church are clear. Notwithstanding the proposed planting and presence of the bund at the northern boundary of the appeal site, I consider that views from the Church to the proposal would be very clear. Taking account of the proposed changes to the appearance and character of the building, I consider that the contribution that the rural setting makes to the significance of the Church would be materially harmed. In a similar way, the change to the appearance and character of the appeal site would detract from the strong rural nature of the

area which is important to the setting of Hill Hall, the Registered Park and Garden and the Conservation Area. For these reasons, I consider that these would all be negatively affected by the proposal. I have taken account of the appellant's intended mitigation in this respect; I do not consider that the proposed materials would affect the impact of the proposal. In relation to the existing site and the presence of any outside storage, I accept that this and more landscaping would change the appearance of the site. Whilst this may include some benefit to the appearance of the site, the harm that I envisage would far outweigh them.

11. In conclusion on this issue, the proposal would fail to preserve the setting of the 2 important listed buildings. It would also fail to preserve or enhance the character and appearance of the conservation area and would harm the Registered Park and Garden. Taking account of the advice in the NPPF, I consider that the harm to these designated historic assets would be 'less than substantial'.

Rural Character

12. The surrounding area is overwhelmingly rural in character; the surrounding land is open and much of it is within agricultural use. Apart from the listed buildings described above, most of the buildings within sight of the appeal site are in associated open land uses and contribute and support the rural landscape. I have set out how I consider that the proposal would change the character and appearance of the building and site. For those reasons, I consider that there would be an additional harmful effect on the general rural character of the area.

Balance and Conclusions

13. The appellant indicates that the Council cannot demonstrate a suitable supply of housing land and I have taken account of the contribution that the scheme would make to housing supply. I also note the appellant's indication that the site would be in a tidier state as a result of the development. In my judgement the proposal would result in less than substantial harm to the designated heritage assets, as set out above and I have given considerable importance and weight to the cumulative harm to these assets. I consider that the public benefits that would arise from the proposal are insufficient to outweigh the harm that I have identified. Therefore, the proposal conflicts with Policies HC12 and GB8A of the Council's adopted Local Plan. As a consequence of these matters, the appeal is dismissed.

S T Wood

INSPECTOR