The Planning Inspectorate

Appeal Decision

Site visit made on 22 February 2022 by Emma Grierson BSc (Hons) MSc MRTPI

Decision by David M H Rose BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2022

Appeal Ref: APP/J1535/D/21/3280770
4 Bowes House, High Street, Ongar CM5 9FB

- 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 and Mrs Buskin against the decision of Epping Forest District Council.
- The application Ref PL/EPF/1528/21, dated 26 May 2021, was refused by notice dated 22 July 2021.
- The development proposed is to demolish the existing conservatory and erect a single storey rear extension.

Decision

1. The appeal is allowed and planning permission is granted to demolish the existing conservatory and erect a single storey rear extension at 4 Bowes House, High Street, Ongar CM5 9FB in accordance with the terms of the application, Ref PL/EPF/1528/21, dated 26 May 2021, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2021/05/4BH Sheet 01 of 06 (block plan and location plan), 2021/05/4BH Sheet 01 of 06 (proposed elevations and floorplans), 2021/05/4BH Sheet 04 of 06 and 2021/05/4BH Sheet 05 of 06.

    3) The external surfaces of the development hereby permitted shall be constructed in the materials that match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The appeal site is located within the Green Belt and the Council have concluded that the proposed development would not represent inappropriate development or harm the openness of the Green Belt. I agree with these findings and therefore the main issue in the appeal is solely the effect of the proposed development on the significance of the locally listed building, Bowes House.

Reasons for the Recommendation

4. The appeal property is a two-storey, mid terrace dwelling which forms part of the locally listed building, Bowes House. The Council have stated that the listing of this non-designated heritage asset is due to the historic and aesthetic value of the building. The building is comprised of two blocks, a larger central block which is described as being more ornate and a smaller lower block which is plainer in appearance. The appeal property is located within the lower block and, as part of the integral building, makes a positive contribution to the building as a whole.

5. The proposed development would remove an existing conservatory to the rear of the dwelling and replace it with a larger single storey extension with a flat roof and roof lantern. No objections have been raised regarding the demolition of the existing conservatory and I agree that the removal of this modern addition would not have a harmful impact on the significance of the locally listed building.

6. The proposed extension would extend the full width of the property and would have a substantial depth, resulting in a large addition to the rear of the building. The rear projection would match that of the neighbouring extension to the south, 3 Bowes House, which is part of the larger central block. Whilst the proposal would enlarge the size of the appeal dwelling and lower block in which it is part of, it would still appear smaller and more subservient to the grander central block. Therefore, whilst the proposal would be a large addition, due to its single storey nature and its projection in line with the neighbouring extension, it would not impact the architectural hierarchy between the two distinct blocks.

7. Furthermore, the proposed extension would have a simple design with materials which would be in keeping with the existing dwelling and would appear as a clear addition to the rear of the building. It would therefore not harm the main form of the designated heritage asset or the special character of the building.

8. Consequently, the proposed development would not harm the significance of the locally listed building, Bowes House, and would comply with Policy HC13A of the Epping Forest District Local Plan (2006). This policy states that locally listed buildings will receive the special consideration in the exercise of the development control process. The proposal would also accord with the heritage objectives of the National Planning Policy Framework.

9. Furthermore, the proposed development would accord with Policy DM7 of the Epping Forest District Local Plan Submission Version (2017) which requires that local heritage assets retain their significance, appearance, character and setting.

Conditions

10. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.

11. The Council have indicated that the flat roof of the proposed extension should be conditioned so it is only accessible for maintenance or emergency purposes. However, the plans submitted do not demonstrate that there is any intention to use the roof as outdoor amenity space, such as a balcony which may overlook the neighbouring gardens, and nevertheless, the proposed roof lantern would largely prevent this type of use from occurring. Therefore, such a condition would not be necessary and has not been included.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

David MH Rose

INSPECTOR