



Appeal Decisions

Site visit made on 15 March 2022

by S M Holden BSc (Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2022

Appeal A Ref: APP/J1535/W/21/3272858

Patsalls, Coach House, Pudding Lane, Chigwell IG7 6BY

- 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 Dhallu against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2985/20, dated 17 December 2020, was refused by notice dated 18 March 2021.
 - The development proposed is partial demolition and restoration of existing Coach House, restoring it to a form that is closer to its original configuration. The construction of a 4 bedroom dwelling and transfer of the Coach House's residential use to it, converting the Coach House to an ancillary use to the house. The full demolition of the dilapidated Stables.
-

Appeal B Ref: APP/J1535/Y/21/3272855

Patsalls, Coach House, Pudding lane, Chigwell IG7 6BY

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Dhallu against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2998/20/LB, dated 17 December 2020, was refused by notice dated 18 March 2021.
 - The works proposed are the partial demolition and restoration of the existing Coach House, restoring it to a form that is closer to its original configuration. The construction of a 4 bedroom dwelling, and the transfer of the Coach House's residential use to it, converting the Coach House to an ancillary use to the house. The full demolition of the dilapidated Stables.
-

Decisions

1. Both Appeals are dismissed.

Preliminary Matter

2. The two appeals concern the same scheme under different, complementary legislation. I note that the Council's decision notices described the development and works slightly differently from the description set out on the application form. For the avoidance of doubt, I have used the latter in the above banner heading and have dealt with both appeals together in my reasoning.

Main Issue

3. The main issue is the effect of the proposed development and works on the special architectural and historic interest of the curtilage listed buildings and setting of Patsalls, a Grade II listed building.

Reasons

Significance

4. Patsalls is a substantial late medieval hall house which has been altered in the 17th, 19th and 20th centuries but has retained a wealth of original features and fabric. It is sited adjacent to Pudding Lane at one end of an extensive curtilage which has a shape resembling a large boot. Within these grounds there are two curtilage buildings, the Coach House, which was in all probability originally a barn, and a stable block. The Coach House is within clear sight of the main dwelling and there is a degree of intervisibility between the two buildings. The stable block is sited on slightly higher ground and is not immediately apparent from the house or the formal part of Patsall's garden. Nevertheless, both buildings have historical functional links with the house and therefore add to an understanding of the development and use of the wider curtilage.
5. The Coach House is a timber framed building with a thatched roof and walls clad with weatherboarding. Nevertheless, its overall form is that of a simple barn with a lean-to addition and a gabled porch (midstrey) over the entrance within the front elevation. The change in the pitch of the front roofslope presents challenges for its maintenance. The remainder of the building includes elements of historic fabric, many of which may have been salvaged from elsewhere. However, this is not an uncommon feature of curtilage buildings.
6. The building has been extensively adapted. The manner in which windows have been inserted, particularly in the side and rear elevations, gives the building a distinctly domestic appearance. The insertion of another large door in the front elevation also detracts from the midstrey as the entrance into the original barn. These alterations reflect the use of the building in recent years for storage and as an office, rather than ancillary to any agricultural activities that may have occurred on the wider site in the past. The current form of the Coach House is therefore not representative of typical ancillary buildings found in rural areas. Nevertheless, it is an integral part of the historical development of the site and contributes positively to the setting of Patsalls, even though its current form may be a reinterpretation of an earlier building.
7. The stable block is thought to be a late 19th century addition to the site. It is unremarkable, constructed using vertical studs between base and head rails. Its exterior is timber weatherboarding and pantile rooftiles. It has some modest sized windows and internally there is limited remaining fabric which evidences its use as stables. It is currently being used for storage of logs and houses equipment associated with the maintenance of Patsall's extensive grounds. Even though it is in a poor condition, the stable block contributes to an understanding of the status of the host property at a time when providing for horses would have been an essential for occupants of a substantial rural dwelling. Its presence and secondary location within the curtilage are therefore noteworthy elements that form part of the setting of the host property.
8. The setting of Patsalls is not confined to the immediate surroundings of these ancillary buildings. Its wider context is the rural area in which it is located. The house is within the narrowest part of the plot, which widens out to include the curtilage listed buildings and then opens out further into a much wider area, all of which is in the appellant's ownership. Whilst the curtilage is enclosed by hedges and trees on the roadside boundary, the remainder is an open and undeveloped area that includes a few scattered mature trees.

9. From the house and garden there are also open views towards the tree belt that marks the south-eastern boundary of the appeal site. Although a post and rail fence sub-divides this part of the site, in visual terms the whole area to the trees on the boundary contributes positively to the setting of the listed building. To the north and east of this area the land rises up a gentle slope to an almost flat field with a tennis court to one side. The setting of the house therefore includes the entirety of this wider curtilage, all of which contributes positively to an understanding of Patsall's status and historic development within this rural context.
10. The status and significance of Patsalls and its curtilage buildings are evident from their age, size, features and the surrounding land to which they relate. These are indicative of a long history of residential use associated with small scale farming. The Coach House's significance relates to its siting and barn-like form which are consistent the role that such a structure would have played in support of activities at Patsalls as a smallholding. The significance of the stable block arises from its contribution to the use of the dwelling as a dwelling of importance at the end of the 19th century. Both therefore contribute positively to the setting of Patsalls.

Assessment

11. The proposal comprises several elements; alterations to the Coach House, the demolition of the stable block and the construction of a new dwelling on the south-eastern part of the site.
 - a) *Alterations to the Coach House*
12. Permission is sought to partly demolish the Coach House by removing the shallow pitched roof element and the midstrey with its dormer window. These would be replaced by an uninterrupted steeply pitched roof which would be re-thatched. The lower part of the elevation would be a single timber garage door. The existing second garage style door and the small window in this elevation would be removed. Three small windows in the side elevations would also be lost. The rear elevation would be largely unchanged.
13. The justification for undertaking these changes is, in part, to address problems associated with water ingress through the thatch. I acknowledge that the combination of steep and shallow roofs on the front side of the building has accelerated deterioration of the thatch with consequential problems of damp inside. From what I saw there appears to be some ingress of water in places. However, the proposal appears to be a large scale, radical solution for a problem that could be overcome in a manner that would be less disruptive to the building's most important historic features.
14. The character of the building has already been compromised by the insertion of domestic sized windows, including the dormer in the midstrey. However, the proposed demolition would remove the lean-to addition and the midstrey which are amongst the distinctive features of the building. It is these elements which are most typical of historic agricultural barns and their loss would significantly erode what remains of the building's original character. It would also reduce the footprint of the building from that which appears to have been on the site for at least the last 120 years.

15. Whilst it is apparent that the building has been extensively altered during the 20th century, probably most particularly since the 1940s, there was no substantive evidence to suggest that it previously had a steep catslide roof of the type now proposed. Therefore, undertaking the alterations as a means of restoring it to a previous form has not been adequately evidenced or justified. Furthermore, with no changes proposed to the rear elevation the building would retain much of its domestic appearance. In these circumstances any benefits arising from ease of maintenance would not outweigh the harm caused to the significance of the building as a result of the loss of the lean-to and midstrete features.

b) Demolition of the stables

16. As a curtilage listed building the stable block is an integral part of the historic layout of the site and contributes towards the significance of the original house. Although it is in poor condition, having retained only a limited amount of historic fabric, its overall form and original function is still evident. Its demolition would result in its total loss which would be harmful by definition. Its loss would also diminish the understanding of the site's development and layout during the 19th century thereby failing to preserve the setting of Patsalls.

c) Construction of new dwelling

17. The proposal seeks permission for the construction of a new dwelling in the open part of the curtilage of Patsalls beyond the Coach House and the stable block. It would be sited towards the boundary on the south-eastern side of the site. The dwelling would be a contemporary design, built into the slope of the ground and facing towards Pudding Lane.
18. The introduction of the dwelling would diminish the open, rural setting of Patsalls. Its contemporary form with a flat roof and large areas of glazing would appear incongruous and out of character within an area characterised by vernacular buildings. The sub-division of the plot would introduce the need for boundary treatments and parking spaces, thereby harmfully fragmenting the site. Vehicular access would be shared with the host property and parking would be provided both in the Coach House, which would become ancillary to the new dwelling, and on an adjacent area with a gravel surface. The new house would be approached by a pedestrian access between the two buildings. These additional features, together with additional domestic paraphernalia would clutter the site, compounding the harm already identified to the open, undeveloped, rural setting of Patsalls.

Overall findings and public benefits

19. Taking all the above factors into consideration I conclude that the proposal, both its individual elements and when considered collectively, would fail to preserve the special architectural and historic interest of the curtilage listed buildings, and the setting of Patsalls, a Grade II listed building. This would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
20. Notwithstanding the extent of the alterations to the Coach House, the loss of the stables and the introduction of the proposed dwelling, I am of the view that

the overall harm may be quantified as less than substantial. However, this assessment of harm still amounts to a significant objection. It is therefore necessary for me to weigh this harm against the public benefits of the proposal as required by paragraph 202 of the Framework.

21. It is not in dispute that the Coach House has a lawful use as a dwellinghouse, although it is currently not being used as such. However, from what I have read, it is apparent that additional works would be required to bring the building up to modern standards. These would go significantly beyond those which are set out in the scheme before me: some would require listed building consent; others, may require planning permission. It would be for the Council to assess any such proposals against the requirements of the Act and the development plan. They are not matters that I can take into account in my assessment of the appeal proposal.
22. The proposal would significantly reduce the size of the Coach House. The plans show that it would be retained as ancillary accommodation, albeit associated with the new dwelling rather than the host property. The appeal scheme would therefore not result in any net increase in the district's housing supply. There are therefore no public benefits associated with the proposal that would outweigh the less than substantial harm identified.
23. The development and works would fail to comply with paragraph 199 of the National Planning Policy Framework (the Framework) which states that great weight should be given to conserving a designated heritage asset's significance. In addition, the development would conflict with Policy HC10 of the Epping Forest District Local Plan, 1998 and 2006, which seeks to prevent development or works to the interior or exterior of listed buildings that would detract from their historic interest or architectural character and appearance. It would also be contrary to Policy HC12 of the Local Plan which states that permission will not be granted for development that adversely affects the setting of a listed building.

Other Matter

24. The appeal site lies within the Metropolitan Green Belt. However, I have not considered the implications of the scheme on the Green Belt as the Council raised no objection in respect this matter and, having found harm to heritage, I am dismissing the appeals for other reasons.

Conclusion

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

Sheila Holden

INSPECTOR