



Appeal Decision

Site visit made on 17 May 2022

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2022

Appeal Ref: APP/J1535/D/21/3277412

**The Barn, Collins Cross Farm, Matching Tye, Newmans End, Essex
CM17 0QY**

- 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 Piece (Cathnic LLP) against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2929/19, dated 3 December 2019, was refused by notice dated 19 April 2021.
 - The development proposed is minor non-structural alteration and one and half storey extension to provide extra accommodation to an existing barn converted into a residential unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal site lies within the Green Belt. Under the Epping Forest District Local Plan Alterations 1998-2006 (LP) adopted 1998 and the National Planning Policy Framework (the Framework), new buildings are considered inappropriate development in the Green Belt.
3. However, main parties have agreed that the proposed extension would be an exception to inappropriate development. The exception under the Framework requires the extension or alteration of the building to not result in disproportionate additions over and above the size of the original building whilst the LP Policy GB2A requires the extension to be limited. Based on the volume increase and assessment of the scheme on the site, the proposal would meet these exceptions and thus, Green Belt policies are not determinative in this decision.
4. The Council's decision notice did not cite heritage as a reason for refusal but both parties agree that The Barn is curtilage listed. The Barn is within the curtilage of Collins Cross Farmhouse, a Grade II listed building, and therefore, I have had special regard to 66(1) of the Planning (Listed Buildings and Conservations Area) Act (the Act) 1990 in respect of both buildings. The Appellant has submitted a Heritage Statement (HS) with the appeal.
5. The emerging Epping Forest District Local Plan (Submission Version) (LPSV) 2017 is at an advanced stage of preparation having had hearings held in early 2019. Time has elapsed since this date and there are no details of any unresolved objections to policies before me. However, based on my

assessment, the relevant heritage and design Policies DM7 and DM9 are broadly consistent with the Framework. On this basis, significant weight is given to the identified emerging policies.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area, having regard to The Barn's status as a curtilage listed building and Collings Cross Farmhouse, the principal Grade II listed building.

Reasons

Character and appearance

7. The appeal site comprises a timber-framed, one and half storey barn, which is at the rural village edge of Matching Tye. The barn has been converted into residential use and its curtilage subdivided from Collins Cross Farmhouse, the Grade II listed building. The HS indicates it to be of the late 17th century/early 18th century. It has a rectangular shape with a higher storey central section and lower single storey peripheral elements/additions around it. There is an extensive sloping roof on its frontage and a gabled bay entrance that is suggestive of a former barn opening. It is clad with dark stained weatherboarding above a brick plinth.
8. The Barn has been converted and altered into residential use, and within its reformed curtilage, there are landscaped garden areas, parking areas for vehicles and domestic paraphernalia. Nevertheless, the conversion and alterations have been sympathetic because the building's original form, shape and roof are largely intact. The mainly modest sized external openings and the cladding gives the building a rustic quality and it thus retains an authentic and unassuming agrarian character reflecting a historic subservient relationship with the farmhouse. For all these reasons, the building has strong rural barn design qualities.
9. The Grade II listed farmhouse (Lit Entry 1166206) was first listed in 1980. The statutory list entry identifies the building as a 2 bay hall house of about 16th century, with alterations in 17th century and 20th Century. It is timber framed, plastered and roofed with handmade red clay tiles and two storey, apart from the southern end that is single storey with first floor dormer. There are prominent external chimneys at either end. Despite its independent residential use, the building's strong vernacular design qualities identify it as a historic farmhouse.
10. The HS details agriculture provided much of wealth of the region between 16th and 18th century as it supplied milk and food to the developing and expanding City of London. It further indicates that small farms and numerous barns were developed during this period to house livestock, goods and later for machinery. Both buildings would have had a strong functional connection given their original farming origins and existence within one curtilage. Despite change through subdivision and residential use, both buildings still have notable agricultural design qualities which together with their historic connections, adds association value to both buildings. From the evidence before me, the special interest and significance of both the curtilage and principal listed buildings derives from their historic use, form, layout and architectural features, as well as landscape setting, which collectively express their agricultural origins.

11. The proposed extension would be constructed of similar materials to the existing barn and the ridge height of the extension would be no higher than that of the barn. However, the height of the roof eaves would be markedly higher than that on the front of the barn. Although the first floor is partially within its roof, it has an appearance of a two storey structure, especially with the first floor frontage window. This would jar markedly with the shape and form of the barn, including with the lower storey elements around the periphery of the barn. Additionally, its front gable elevation would be overly large and out of proportion with the bay feature of the barn.
12. There is a low-level glazed link between the extension and barn. The approach of using a glazed link has been used elsewhere at a property in Ongar and it is intended to provide a clear and unencumbered reading of it as an addition. However, the glazed link would do little to ameliorate the dominant effect of the extension because of its size, scale, height and proximity. As such, both the simplicity, proportions and hierarchy of scale and form of the barn would be adversely affected and there would be an adverse dominating effect.
13. The extension has been considered acceptable as limited and not disproportionate under Green Belt policies. However, assessing the effects on the character and appearance of the area, and heritage assets involves different considerations and therefore, the relevance of these matters is limited.
14. For all these reasons, the legibility of the appeal building's authentic and unassuming agrarian qualities would be harmfully eroded. It would introduce a domestic formality to the appeal building and the proposal would erode the sense of the site's agricultural origins, as well as its subservient relationship to the listed farmhouse. In relation to the farmhouse, the extension would be on the side of the barn furthest away from it, but there would be a perceptible intrusion within its setting, which although small, would detract from its qualities. For all these reasons, there would be harm to the character and appearance of the area, and to the significance and special interest of both the curtilage and principal listed buildings.
15. The degree of harm to the significance of the listed buildings, as designated heritage assets, would, in terms of the Framework, be less than substantial. In accordance with paragraph 202 of the Framework, these harms should be weighed against the public benefits of the proposal, including securing the optimum viable use.

Heritage and planning balance

16. The purpose of the proposal is to create extra accommodation for an elderly relative and provide a better, more comfortable layout to the existing accommodation. However, in providing additional accommodation, the proposed extension would be largely satisfying the private wants and needs of the appellant, which are not public benefits. The barn is already in use as a single family residence and one in what appeared to be in sound overall condition and at no obvious risk. No doubt, the proposal would invest some investment into the fabric of the building, which would be a public benefit. There would be associated economic and social benefits associated with the construction of the extension but this would be short term. Consequently, the value of public benefits would be small and attract small weight in favour of the proposal. Therefore, the public benefits are not sufficient to outweigh the harm

in respect of the curtilage listed building, which, even though is less than substantial, carries considerable importance and weight.

17. In relation to the listed farmhouse, the harm would be at the lower end of the spectrum of less than substantial harm. Nevertheless, the presumptive desirability of preserving assets and their setting must be given considerable importance and weight. In light of the foregoing, the sum of the identified public benefits would not be sufficient to outweigh the harm to the designated heritage asset and the great weight this carries.

Conclusion

18. In considering whether to grant planning permission, s66(1) of the Act requires decision makers to have special regard to the desirability of preserving a listed building. The proposed development would fail to preserve the curtilage and principal listed buildings in conflict with s66(1) of the Act. There are no public benefits sufficient to outweigh the less than substantial harms for the curtilage listed barn and principal listed farmhouse.
19. The development would harm the character and appearance of the area in conflict with Policy DBE9 of the LP, which amongst other matters, requires no excessive loss of amenity for neighbouring properties, having regard to visual impact, and the development plan taken as a whole. By reason of the harm to character and appearance, and heritage assets, there would be conflict with Policies DM7 and DM9 of the emerging LPSV, which collectively and amongst other matters, requires historic environment to be conserved and enhanced in a manner appropriate to its significance, and new development to achieve a high specification of design and contribute to the distinctive character and amenity of the area. No material considerations indicate that the planning appeal be determined other than in accordance with the development plan.
20. For all these reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR