

Appeal Decision

Site visit made on 24 January 2023

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/B5480/W/22/3294638

Land adjacent to Blue Boar Hall, Orange Tree Hill, Havering-Atte-Bower, Romford RM4 1PJ

- 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 Oliver Murray of protaWORKS against the decision of London Borough of Havering.
 - The application Ref P2382.21, dated 16 December 2021, was refused by notice dated 11 February 2022.
 - The development proposed is described as, 'erection of new self build dwelling'.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. As the proposal is in a conservation area and relates to the setting of a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

3. The main issues are:
 - the effect of the proposal on the character or appearance of Havering-Atte-Bower Conservation Area (CA) and the setting of the nearby Grade II listed building; and
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies.

Reasons

CA and setting of listed building.

4. The site is located in the historic core of the CA near the village green, which, as stated in the Character Appraisal and Management Proposals, acts as a focus for several main roads, and for a hinterland of lanes, large houses and associated farm building groups. The site also lies a short distance from the church which fronts the green.
5. The other buildings along Orange Tree Hill are of a modest scale and traditional materials and massing that give the area a spacious rural feel. This hierarchy and pattern of development reflect the historic primacy of the green as well as the church in the local area.

6. Accordingly, the significance of the CA, insofar as it relates to this appeal, is associated with the development of the village around the green, and the hierarchy of the buildings of varying ages and types surrounding it.
7. Turning to the listed building, the Character Appraisal says that the Blue Boar Hall, a re-fronted early 17th century timber-framed house, is one of the oldest surviving buildings. The Heritage Statement indicates that the house was likely used as a bakery as well as being divided into three dwellings throughout the 19th and 20th centuries.
8. Blue Boar Hall is currently surrounded by open fields to either side and to the south. In addition to this and given its position near the green as well as its ridge-top location, the listed building occupies a prominent position both in the village and wider landscape.
9. The historic maps indicate the presence of buildings on the site in the 18th century. However, there is little evidence regarding the nature and type of those buildings. The 1814 Liberty Map of Havering Enclosure Map shows a building on the site that appears subservient to Blue Boar House and the Heritage Statement states that given its position it was most probably a stable or coach house.
10. Therefore, even if there were buildings on the appeal site, they appear to have been subservient to Blue Boar Hall, reinforcing its prominence in the village. The open nature of the site forms part of the setting of the listed building and speaks directly to its special interest which lies in the evidence of prominent historic vernacular architecture.
11. The proposed dwelling would have a similar height, footprint and layout as Blue Boar Hall. It would introduce significant built development in close proximity to the listed building, significantly eroding its prominence both in the CA and from the wider landscape to the south. As such, the proposal would harmfully alter the setting of the listed building and unacceptably diminish its special interest.
12. In addition, its siting near the road and frontage longer than Blue Boar Hall would result in a greater prominence in the street scene. The proposal would therefore visually dominate Blue Boar Hall and detract from its prominence in the historic core of the CA. This effect would be seen from the green and the proposal would therefore harm the significance of the CA.
13. Consequently, I find that the proposal would fail to preserve the special interest of the listed building and the significance of the CA. Therefore, I give this harm considerable importance and weight in the planning balance of this appeal.
14. Given the limited scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
15. The appellant is of the opinion that the proposal would be beneficial because it would be a self-build dwelling. The Council do not dispute that it has not granted permission for sufficient self-build plots to meet demand. Given that a single dwelling is proposed, any public benefit in this respect would be limited. Similarly, any public benefit in promoting the property as a low-carbon home would also be limited. The benefits in terms of enhancing the quality of life of the Appellant and their children would be private.

16. Given the above, I conclude that, on balance, the proposal would fail to preserve the setting of the Grade II listed building and the character or appearance of the CA. This would fail to satisfy the requirements of the Act, the Framework and conflict with Policies 26 and 28 of the Havering Local Plan 2016 – 2031 Adopted November 2021 (LP) that seek, among other things, proposals that respect and complement the character of the local area and conserve and enhance the significance of heritage assets. As a result, the proposal would not be in accordance with the development plan.

Inappropriateness

17. The appeal site is situated in the Green Belt. Paragraph 149 of the Framework indicates that, other than in connection with a small number of exceptions, the construction of new buildings should be regarded as inappropriate in the Green Belt. Limited infilling in villages is one of the listed exceptions.
18. Given the proximity of the site to other dwellings, I agree with the parties that the site lies within a village. Since the proposal is for a single dwelling, it would be limited.
19. The site lies adjacent to Blue Boar Hall, a two-storey detached dwelling. To the south side of the site lies an undeveloped field which occupies a corner position in the bend of Orange Tree Hill. Beyond the field lies a number of buildings including a dwelling known as Bower Farm Cottage which can be seen from the site. In addition, a number of dwellings lie on the opposite side of Orange Tree Hill and around the bend in the road such that there is built development on a number of sides of the site notwithstanding the presence of the field.
20. Therefore, the proposal would not be inappropriate development in the Green Belt having regard to the Framework as it would represent limited infilling in a village. It would therefore not conflict with the Framework. The proposal would also not conflict with Policy G2 of The London Plan The Spatial Development Strategy for Greater London March 2021 which seeks to protect the Green Belt from inappropriate development.
21. Since the proposal constitutes limited infilling in a village, a consideration of openness is not necessary.

Other Matters

22. I note the comments of the Inspectors for the cases at Land adjacent to Estralia and Hawthorne Cottage. However, since those sites are in different locations, they are not directly comparable to the appeal site in terms of infilling.
23. While I also acknowledge the appeal case relating to nine self-build dwellings, limited details of the case are before me to enable a direct comparison with this appeal.

Conclusion

24. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

R Sabu INSPECTOR