



Appeal Decisions

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: 15 February 2023

Appeal A Ref: APP/J1535/W/22/3296775

**Bush Hall Farm, The Maltings, Threshers Bush, Matching, Harlow
CM17 0NS**

- 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 Damien Devine against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2446/21, dated 3 September 2021, was refused by notice dated 1 March 2022.
 - The development proposed is single storey garden room.
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Appeal B Ref: APP/J1535/Y/22/3296780

**Bush Hall Farm, The Maltings, Threshers Bush, Matching, Harlow
CM17 0NS**

- 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 Damien Devine against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2452/21 LB, dated 3 September 2021, was refused by notice dated 1 March 2022.
 - The works proposed are single storey garden room.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. As the proposal relates to a listed building, I have had special regard to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The site lies within the Metropolitan Green Belt. Given the limited size of the proposal I agree with the parties that it would not be inappropriate development in the green belt as it would not constitute disproportionate additions over and above the size of the original building.

Main Issue

4. The main issue is whether the proposal would preserve a Grade II listed building, Bush Hall Farm Malthouse (Malthouse), and any of the features of special architectural or historic interest that it possesses.

Reasons

5. The building was listed in 1999 and dates from the 19th century. The primary building is a two-storey former malthouse of yellow stock brick with ten bays and segmental arched windows divided by pilasters.
6. The Malthouse has been converted to dwellings and the internal layout has been altered accordingly. In addition, boundary walls have been erected between the properties to subdivide the private amenity spaces to the rear. However, the external historic fabric of the building and the regular rhythm of windows and pilasters retain the building's industrial character. In addition, the listing goes on to say that this is a rare and unusually complete example of a two-storey farm malting.
7. The Malthouse has late 20th century alterations and a two-storey extension of brick with a weatherboard and glazing link. Given the similar brick and details such as arched windows, the extension and link also have an industrial character that is in keeping with the original Malthouse building. As such, it provides a neutral contribution to the special interest of the listed building.
8. A single storey rear addition lies adjacent to the existing 20th century link element between the original malthouse and two storey extension. Given its position, lean-to form and limited scale, as well as timber cladding to match the existing link, it preserves the overall industrial character of the listed building and provides a neutral contribution to the special interest of the listed building.
9. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the legibility of the historic form and industrial character of the 19th century phase of the malthouse.
10. The proposed extension to the 20th century part of the building would be single storey and consist of a flat roofed link and a garden room with pitched roof. The single storey scale of the proposal would contrast with the two-storey scale of both the original malthouse building and the later extension. In addition, the flat roof of the proposed link would appear incongruous against the traditional forms of the existing building. Together these elements would result in a visually distracting addition.
11. Furthermore, the west and north elevations of the proposed link and garden room would have full height glazing which would have a residential character and appear out of keeping with the smaller windows of the existing building. The extensive glazing in the gable end of the proposed extension would also appear discordant against the existing building. As such, the proposal would have a residential feel that would distract from the historic form and industrial character of the original building. It would therefore erode the special interest of the listed building.
12. The proposed extension would be set away from the original malthouse and set back from the front wall of the Maltings building. However, the proposed extension would nonetheless project above the boundary wall and would be seen in some views from the highway alongside the original malting building. In addition, the rendered wall would appear stridently incongruous against the traditional materials of the existing building.

13. The appellant has suggested that the proposal would not harm the listed building because it would not be more widely visible. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
14. Therefore, I find that the proposal would fail to preserve the special interest of the listed building. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
15. Paragraph 199 of the National Planning Policy Framework 2021 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification. 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.
16. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellant has not suggested any public benefits that would result from the scheme. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
17. Given the above, the proposal would fail to preserve the special historic interest of the Grade II listed building. There are no defined substantiated public benefits that would overcome the less than substantial harm. Therefore, I conclude that, on balance, the proposal would fail to satisfy the requirements of the Act, paragraph 199 of the Framework and conflict with policies HC10 and HC12 of the Epping Forest District Local Plan Adopted January 1998 that resist works to listed buildings which could detract from its historic interest or architectural character and appearance. As a result, the proposal would not be in accordance with the development plan.

Conclusion

18. For the reasons given above the appeals are dismissed.

R Sabu

INSPECTOR