



Appeal Decision

Site visit made on 9 January 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2024

Appeal Ref: APP/V1505/D/23/3319817

Stead Hall Farm, Laindon Common Road, Billericay, Essex CM12 9TD

- 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 David Lovell against the decision of Basildon Borough Council.
 - The application Ref 22/01586/FULL, dated 7 November 2022, was refused by notice dated 9 January 2023.
 - The development proposed is demolition of garage and outbuilding, construction of single storey extension, construction of basement, re-cladding of existing house and construction of chimney stacks.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner above is taken from the original application form. I have slightly amended it to remove words not describing acts of development.
3. The National Planning Policy Framework (the Framework) was updated in December 2023, during the course of this appeal. Other than paragraph numbering, the wording about proposals affecting the Green Belt and heritage assets has not changed. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to provide observations on the new Framework.

Main Issues

4. The parties agree the proposal would represent inappropriate development in the Green Belt as defined in Section 13 of the Framework and saved Policy BAS GB4 of the Basildon District Local Plan Saved Policies 2007 (BLP). I concur.
5. Therefore, the main issues are:
 - the effect of the proposal on the openness of the Green Belt;
 - whether the proposal would preserve or enhance the character and appearance of the Little Burstead Conservation Area, and its effect on the significance of non-designated heritage assets; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Openness

6. A fundamental aim of Green Belt policy, as set out in paragraph 142 of the Framework, is to keep land permanently open. Openness can be perceived spatially and visually. The openness of the appeal site lies in its spacious layout and gaps between the buildings, which afford clear views of the open countryside and trees beyond. This includes a direct view from the road along the driveway and through the gap between the house and its detached garage.
7. The proposed extension in place of the garage would close the current gap between the house and that outbuilding. This would eliminate the current view from the road towards the open countryside, which would be detrimental to the visual openness of the site. The addition of an extension and chimneys would also increase the mass of the main house, thereby reducing spatial openness around it. Even if I accept that demolition of the garage and garden store would result in a modest net positive contribution to the spatial openness of the site¹, and that there would be sufficient alternative storage space, this would not fully off-set the loss of visual openness I find.
8. The proposed basement would be comparable to a basement previously allowed at the site². I accept this part of the proposal would have little material impact on openness.
9. Overall, I find the proposal would result in moderate harm to the openness of the Green Belt.

Little Burstead Conservation Area and non-designated heritage assets

10. Having regard to the Little Burstead Conservation Area (CA) Character Appraisal, the CA comprises much of the village of Little Burstead, with its two main roads and village green at their junction. With medieval and agricultural origins, the village is small and rural in character and includes several timber-framed buildings characteristic of Essex. Laindon Common Road retains a country lane character with buildings mostly of modest 'working' origins set back behind hedges and trees. The grander houses in the village are generally grouped on the other side of the settlement and around the green. This historic layout of roads and buildings contributes to the significance of the CA as a designated heritage asset.
11. The appeal site was originally known as Jackson's Farm, with dilapidated buildings including a stable and the remains of a timber-framed 'in-line' medieval hall house. The hall house has been restored, extended and brought back into residential use with the stable block used as a garden store³. The Council has identified the hall house and the former stable block as non-designated heritage assets (NDHA), which also make a positive contribution to the character and appearance of the CA. The significance of the former stable block includes being a good example of a small, vernacular mid-19th century outbuilding. The hall house's significance includes its unusual crown-post roof

¹ Having regard to appeal Refs APP/H1515/D/19/3231700 and APP/Y3615/A/12/2170959, and to *Sevenoaks DC v SSE and Dawe* [1997] EWHC Admin 1012

² Ref 18/00198/FULL

³ Granted on appeal, reference APP/V1505/A09/2118446 dated 26 April 2010

- design, which is one of very few such structures in Essex and one of the oldest buildings in the village.
12. The understated lines and cross-wing form of the current house set off the historic timber frame within and enhance enjoyment of it, as acknowledged by the Inspector who allowed it. This effect is notwithstanding the modern construction of the house and irrespective of whether everyone would recognise what they are looking at. The current house is therefore part of the setting of the hall house as a NDHA, which contributes to its significance.
 13. Paragraph 205 of the Framework requires great weight to be given to the conservation of a designated heritage asset when considering the impact of a proposed development on its significance. Paragraph 209 states that, in weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.
 14. The proposed replacement house would have the appearance of a fairly grand building dating back several centuries, with oak framing, lime render, clay tiles and large, added chimney stacks. I acknowledge the design is not intended to be historically accurate. I also accept that newer buildings and adaptations sometimes borrow architectural styles from the past, as recognised in national design guidance. However, even if the design would be of high quality, the style and details would be discordant in the context of the other dwellings on Laindon Common Lane which, although varied, are generally of a later and/or more under-stated appearance.
 15. This incongruity would be greater because of the generally modest 'working' origins of this part of the CA. There is little before me to demonstrate the proposed design would make an appropriate historic reference to the appearance of the former hall house, notwithstanding that building's recognised high status. Consequently, I do not agree the proposed design would be an improvement over the current appearance of Stead Hall Farm, regardless of the quality of the proposed materials and craftsmanship. Furthermore, the large new house and its prominent chimneys would be readily seen from the road, even allowing for the set-back of the site. Overall, the proposal would not respect the coherence of the CA so would detract from its character and appearance.
 16. I acknowledge the timber frame of the hall house would be retained unchanged within the new house. I also accept there may be more than one appropriate way to contain the historic structure. However, the ornate new building would be considerably more eye-catching and assertive than the current house, which would compete with rather than complement the rare structure within. Even though the frame of the old hall house would not be seen from outside, this harmful change to its setting would undermine its significance as a NDHA and its contribution to the significance of the CA.
 17. The former stable block would be demolished. Even if I accept there is little left of the original structure in the current building, its form, size, location and relationship as an outbuilding with the main house provide a link to the past, which would be completely lost. This harm to the significance of the NDHA would also harm the character and appearance of the CA.

18. The site in the other appeal decision brought to my attention⁴ is in a different settlement in Essex and a different Conservation Area, with significance specific to that heritage asset. Therefore, the circumstances in that appeal are not sufficiently closely related to be directly comparable to those before me. In any event, I am required to determine this appeal on its own merits.
19. I therefore conclude there would be harm to the significance of both the hall house and the former stables as NDHAs. I also conclude the proposal would neither preserve nor enhance either the character or the appearance of the CA and would therefore harm its significance. The harm to the CA would be less than substantial.
20. Paragraph 208 of the Framework states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal would make a modest contribution to economic growth during the construction process, to which I give limited weight. However, this public benefit would not outweigh the harm I find to the significance of the CA. It would also not outweigh the harm to the significance of the NDHAs. Therefore, the proposal would conflict with the Framework.
21. I also conclude the proposal would conflict with saved Policy BAS BE12 of the BLP, which states planning permission for the alteration and extension of existing dwellings will be refused if it causes harm to the character of the surrounding area.

Other considerations

22. I have given limited weight to the modest economic contribution of the proposal noted above.
23. The scheme would increase available living space at the site. However, the improvement would primarily cater for the private requirements of the appellant and carries little weight in the scheme's favour.
24. I note the proposal has evolved following previous unsuccessful applications⁵ and an appeal⁶. Nevertheless, I am required to consider this appeal on its merits based on the evidence before me, so the planning history of the scheme is a neutral factor. The Council's approach to site visits and decision-making is outside my remit in considering this appeal and is also a neutral factor.

Green Belt Balance

25. According to paragraphs 152 and 153 of the Framework, inappropriate development in the Green Belt should not be approved except in very special circumstances. These will not exist unless the harm to the Green Belt, and any other harm resulting from the proposal, are clearly outweighed by other considerations.
26. I am required to give substantial weight to the harm the development would cause to the Green Belt by virtue of its inappropriateness and to openness. I also give great weight to the harm to the significance of the CA and NDHAs. The weights I have attached to the other considerations, individually or

⁴ Appeal ref APP/H1515/A/14/2219012

⁵ Refs 16/00681/FULL, 16/01589/FULL, 21/01113/FULL, 21/01684/FULL

⁶ Ref APP/V1505/D/17/3173106

cumulatively, do not clearly outweigh these harms. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

27. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

C Carpenter

INSPECTOR