



Appeal Decision

Site visit made on 5 March 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 April 2024

Appeal Ref: APP/J1535/W/23/3324349

Camps Farm, Hoe Lane, Nazeing, Waltham Abbey, Essex EN9 2RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Arnold of A W Arnold and Sons against the decision of Epping Forest District Council.
 - The application Ref is EPF/2100/22.
 - The development proposed is the demolition of all existing structures and redevelopment with 1 x 3 bedroom single storey dwelling (Plot A) and 1 x 4 bedroom single storey dwelling (Plot B) together with landscaping, a drainage strategy and arrangements for access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of the planning application, the Government has published a revised National Planning Policy Framework (the Framework). Where reference is made in this decision to paragraph numbers, they are taken from the latest version.
3. The Council considers that the Commercial Viability Report, provided with the appeal documents, demonstrates that the proposed development complies with the requirements of Policy E1 of the Epping Forest District Local Plan 2011-2033 Part One. The Council therefore advises that it no longer wishes to pursue its first reason for refusal. I am satisfied, from the evidence before me, that the proposal will not result in the loss of employment space as there is no longer a reasonable prospect of the site being used for the existing, or an alternative, employment use. Consequently, I have not addressed this matter further.
4. Part of the appeal site lies within a conservation area and there are several listed buildings and a non-designated heritage asset nearby. Accordingly, I am required to pay special attention to the desirability of preserving or enhancing character or appearance of the conservation area and to have special regard to the desirability of preserving the setting of listed buildings. Furthermore, I am required to take account of the effect of the proposal on the non-designated heritage asset. It is therefore necessary to address such matters as a main issue.

Main Issues

5. The main issues are:

- Whether or not the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
- Whether the proposal would preserve the setting of nearby Grade II listed buildings, Camps Farmhouse (the White House), Camps, Barn at rear of Camps (Camps barn) and Parkers, and Grade II* listed buildings, Greenleaves and Barn 20m south of Greenleaves (Greenleaves barn),
- The extent to which the development would preserve or enhance the character or appearance of the Nazeing and South Roydon Conservation Area (CA), and the effect of the proposal on Camps Grange, a non-designated heritage asset; and
- Whether the harm by reason of inappropriateness in the Green Belt, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Inappropriate development

6. The appeal site is located within the Metropolitan Green Belt (Green Belt). Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
7. Paragraph 154 of the Framework states that the construction of new buildings within the Green Belt should be regarded as inappropriate subject to a number of identified exceptions. One such exception, at paragraph 149 (g)(i), allows for the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development.
8. The main parties agree that the site is not all previously developed land (PDL) as some of the buildings on the site are in agricultural use. Based on the information before me I have reached the same finding.
9. The proposal would result in a reduction in the volume and footprint of buildings on the site. Consequently, it would not have a greater impact on Green Belt openness than the existing site. Nonetheless, as the site is not wholly PDL the proposal does not fall within the exception that is set out at paragraph 149(g)(i) of the Framework.
10. Accordingly, the proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would conflict with the Framework as it would fail to assist in safeguarding the countryside from encroachment and would not comply with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open.

Designated and non-designated heritage assets

11. The site is partially within the Nazeing and South Roydon Conservation Area (CA) and is part of the historic farmyard of Camps Farm.
12. The CA covers a large area that includes wide expanses of countryside and several ancient settlements, including along Hoe Lane. The significance of the CA, insofar as it relates to this appeal, is the historic evidence of the medieval settlement and field system it contains.
13. Camps Grange, a non-designated heritage asset, adjoins the site. It was formerly a barn of Camps Farm which has been converted to a dwelling. Its significance is, in part, derived from its historic fabric, its spatial relationship to Camps Farm being the only surviving historic outbuilding, and as evidence of the historic settlement of Nazeing.
14. The White House fronts onto Hoe Lane and directly adjoins the site. It was built, c1580, of timber framed and plastered construction with red plain tile roof. Parkers is sited further along Hoe Lane, separated from the site by White House and its curtilage. It originates from the same period as the White House but was remodelled and presents as an 18th century building.
15. Camps is a 16th century timber framed building which is plastered with a brick façade and dentilled brick eaves course. Camps barn was constructed in the 18th century, of timber framed and weatherboarded construction with red pantiled roof.
16. Greenleaves and Greenleaves barn were built in the early 15th century and altered in the 16th century. Greenleaves is an open hall house with cross wings which is timber framed, part plastered and part weatherboarded, with red plain tile roof and red brick cruciform chimney. Greenleaves barn is to the rear of Greenleaves. It is of a simpler design, also timber framed and weatherboarded with red plain tile roof.
17. The significance and special interest of all of the identified listed buildings is, in part, derived from their historic value as evidence of the early agricultural settlement of Nazeing along Hoe Lane and from their architectural and aesthetic value as timber framed structures. Greenleaves and Greenleaves barn also have historic value as the earliest structures on Hoe Lane.
18. The evidence before me suggests that Greenleaves, Greenleaves barn and Parkers did not form part of the historic farmyard. Furthermore, such listed buildings are separated from the appeal site by either the carriageway of Hoe Lane or other buildings. Consequently, the proposed development would not materially affect the way that such listed buildings are experienced.
19. Whilst sited within the historic farmyard, the existing buildings on the site have no historical, architectural or aesthetic significance. The small scale, simple design, and material palette of the proposed dwellings would ensure that they would be appropriately subservient to Camps, Camps barn and Camps Grange. Furthermore, the careful control of the surfacing materials and boundary treatment would retain the open and informal agricultural character of the site. For these reasons, I find that the proposal would preserve the setting of the listed buildings of Camps and Camps barn. In addition, for the same reasons, the proposal would also preserve the character and appearance of the CA and the significance of Camps Grange.

20. Given the above, I conclude that the proposal would preserve the setting of the Grade II listed buildings, the White House, Camps, Camps barn and Parkers, and the Grade II* listed buildings, Greenleaves and Greenleaves barn. The character and appearance of the CA would also be preserved. It would therefore accord with the requirements of Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the proposal would not have an adverse effect on the significance of Camps Grange, a non-designated heritage asset.

Other considerations

21. I am aware from another recent appeal that the Housing Delivery Test indicates that the delivery of housing was considerably below 75% of the Council's housing requirements over the previous three years. However, the Framework indicates that the presumption in favour of sustainable development set out at paragraph 11(d) does not apply where the application of policies that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. The Green Belt is one such area, and, as set out above, the proposal is contrary to the relevant policies of the Framework regarding the Green Belt.
22. Nonetheless, the proposed development would assist in boosting the housing supply. In addition, there would be economic and social benefits resulting from the construction and occupation of the dwellings. However, given the limited scale of the development, these are only limited benefits.
23. As the accommodation within the proposed dwellings is on one level it would be suitable to those who experience poor mobility. The evidence before me, however, does not convey that there is a demonstrated need for such accommodation in this particular location. Therefore, this attracts moderate weight in favour of the appeal proposal.
24. The proposed removal of a derelict building would be beneficial to the character and appearance of the site and the CA. In addition, the proposal would result in a reduction in the volume of buildings on the site. However, any improvement in the openness of the Green Belt would be tempered by the introduction of domestic paraphernalia associated with the proposed dwellings. Accordingly, these benefits carry moderate weight in favour of the proposal.
25. The proposal would result in a reduction in commercial traffic. It has also been suggested that the provision of drainage as part of the development would address localised flooding. I attribute moderate weight to such matters.

Other Matters

26. The site falls within the Epping Forest Special Area of Conservation. If the circumstances leading to the grant of planning permission had been present, I would have considered the implications further, in accordance with the Conservation of Habitats and Species Regulations 2017. However, as I am dismissing the appeal, I have not found it necessary to do so as it would not alter the outcome of the appeal.

Green Belt balance and conclusion

27. Paragraph 148 of the Framework advises that substantial weight should be given to any harm to the Green Belt and very special circumstances will not

exist unless that harm, and any other harm, are clearly outweighed by other considerations.

28. I have found that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. As I have indicated above, substantial weight must be attached to this Green Belt harm.
29. Balanced against this are the other considerations I have referred to. However, given the weight that I have attributed to them, even in combination, they do not clearly outweigh the harm to the Green Belt that I have identified.
30. Consequently, the very special circumstances necessary to justify the development do not exist and, as such, the proposal conflicts with the Green Belt protection aims of the Framework.
31. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR