



Appeal Decisions

Site visit made on 16 July 2024

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd July 2024

Appeal A: APP/H1515/W/24/3338085

78 Little Oakhurst, Coxtie Green Road, Pilgrims Hatch, South Weald, Essex CM14 5RP

- 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 Brittany Bowler against the decision of Brentwood Borough Council.
 - The application reference is 23/01247/HHA.
 - The development proposed is demolition of existing one and two storey extension and erection of a new single storey extension.
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Appeal B: APP/H1515/Y/24/3338087

78 Little Oakhurst, Coxtie Green Road, Pilgrims Hatch, South Weald, Essex CM14 5RP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Brittany Bowler against the decision of Brentwood Borough Council.
 - The application reference is 23/01248/LBC.
 - The works proposed are demolition of existing one and two storey extension and erection of a new single storey extension
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. On the opposite side of the road are Haylands (Ref: 1206141) and Nunns (Ref: 1297265), which are Grade II listed buildings. I have had special regard to the desirability of preserving the setting of these listed buildings in the determination of these appeals and I am satisfied that there would be no harm to the special interest of these listed buildings through changes to their setting.

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, known as 'Little Oakhurst' (Ref: 1197198), and any of the features of special architectural or historic interest that it possesses.

Reasons

6. Little Oakhurst is a two storey, detached, timber framed dwelling, which dates back to the 17th century. The walls are finished with timber weatherboarding and it has a tiled roof. A two storey side extension was added to the property in the 20th century. The two storey side extension is set back slightly from the front elevation of the historic core of the property and has a slightly lower ridge height. A rear projection with catslide roof and dormer window was added to the property in the 1970s. Attached to this rear projection is a canopy. The property also has a small single storey rear projection. A conservatory was added to the rear of the building in the early 21st century.
7. Based on my site visit and the evidence before me, I find that the listed building's special interest, insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of 17th century domestic architecture. The building's surviving historic fabric, use of traditional materials, the legibility of its historic plan form and its pleasing architectural style and design make important contributions in these regards.
8. The proposal seeks to demolish the existing rear projections, including the conservatory and canopy and replace them with a new single storey extension, which would have a flat roof. The proposed extension would be contemporary in appearance and would be attached to the listed building by a glazed link. It would have a smaller footprint and be of less volume than the modern additions that it would replace. While the appellant asserts that the proposed extension would appear lightweight, I find that the proposal by reason of its design, use of brickwork on the side elevations and the thickness of the fascia would create a bulky and box-like structure, which would appear in stark contrast with the traditional form and pitched roof on the host property.
9. Although the proposal would be subservient in height to the host building and utilise high quality materials, it would project further rearwards than the existing built form. Its depth fails to respect the relatively narrow plan form of the historic part of the building. The large window openings would also harmfully contrast with the more traditional and domestic form of fenestration on the historic part of the property.
10. The Council raises no objection to the removal of the existing canopy and conservatory. Based on my site visit and the evidence before me, I find no reason to reach a different conclusion to the Council on these parts of the scheme. While the rear projection, which features a catslide roof has some architectural merit and utilises traditional materials, I find that its pastiche design and use of reclaimed timbers affects the legibility of the listed building. The historic core of the building has a uniformed, high eaves line and steeply pitched roof. The pitch of the catslide roof fails to respect the pitch of the historic core of the property, which results in an unattractive join to the main roof. Given the above and the fact that the projection with a catslide roof is a more modern addition to the listed building, I find that its removal would not harm the special interest of the listed building.

11. While the majority of the works would affect 20th century fabric, a new window is proposed on the ground floor of the rear elevation, which would be inserted into a 17th century wall. Consequently, historic fabric would be lost to facilitate this.
12. Given the existing hard and soft boundary treatment and the fact that the proposal would be sited to the rear of the dwelling, at most, only a glimpse of the proposal would be visible from the public realm. 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.
13. The removal of the existing extensions and structures to the rear of the property would tidy up and allow a better appreciation of the rear of the building and improve the legibility of the building. However, I find that the proposal by reason of its design and loss of historic fabric would result in a significantly greater level of harm to the special interest of the listed building when compared to existing.
14. For the reasons given above, I find that the proposal would fail to preserve the special interest of the listed building and would harm the significance of this designated heritage asset.

Other Matters

15. The appellant has drawn my attention to other contemporary extensions on listed buildings. The other listed buildings differ in design and materials to the appeal property. Furthermore, the other extensions appear to have a more slimline fascia when compared to the appeal scheme. Full details of the circumstances of the other schemes are not before me. As a result, I give them limited weight in my decision.
16. The appellant advises that the proposed fascia and soffits have been designed to achieve the minimum depth required by Building Control energy standards. However, there is no compelling evidence before me why such standards could not be achieved with a more sympathetically designed scheme. As a result, I give this argument limited weight in my decision.

Public Benefits

17. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 206 advises that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm requires clear and convincing justification. Given the nature and extent of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
18. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
19. The proposal would provide improved internal accommodation for the appellant, which is a private benefit. The removal of the modern, rear projections and structures would tidy up and allow a greater appreciation of the

rear elevation of the building, whilst also improving its legibility. I attribute moderate weight to this public benefit in my decision. The proposal would result in investment into the property, which would have a small economic benefit, which carries limited weight in favour of the proposal as a public benefit. There is no substantive evidence before me that the proposal is necessary in order to secure the optimum viable use of the asset.

20. Overall, I give moderate weight to the public benefits of the proposal. Consequently, in attributing considerable importance and weight to the identified harm to the significance of the designated heritage asset, I find that there would be insufficient public benefits arising from the proposal to outweigh this harm.
21. Given the above, I conclude that, on balance, the proposal would fail to preserve the special historic interest and significance of the Grade II listed building. The proposal would fail to satisfy the requirements of the Act and paragraph 203 of the Framework. The proposal would also conflict with Policies BE14 and BE16 of the Brentwood Local Plan 2016 – 2033, adopted March 2022. These policies among other things require that proposals sustain and wherever possible enhance the significance of heritage assets and make a positive contribution to the character, appearance or significance of heritage assets.

Conclusion

22. For the above reasons and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

A James

INSPECTOR