



Appeal Decision

Site visit made on 5 December 2024

by J Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2024

Appeal Ref: APP/J1915/D/24/3344600

Rumballs Barn, Rumballs Court, Bishop's Stortford, Hertfordshire, CM23 4DQ

- 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 Mrs Tamsin Joiner against the decision of East Hertfordshire District Council.
 - The application Ref is 3/24/0216/HH.
 - The development proposed is two storey and part single storey rear extension to garage/annex.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey and part single storey rear extension to garage/annex at Rumballs Barn, Rumballs Court, Bishop's Stortford, Hertfordshire CM23 4DQ in accordance with the terms of the application, Ref 3/24/0216/HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos; RB/001; RB/002; RB/003; RB/004; RB/005 and RB/006.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing building.
 - 4) The garage/annexe extension shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Rumballs Barn.

Preliminary Matters

2. For the purposes of accuracy, the Council's description of the proposal has been used instead of the appellants. However, the reference to the rooflights has been omitted as this does not require planning permission. Consultation responses on the justification for the extended garage/annexe have been considered in my reasoning in this decision.

Main Issues

3. The main issues are (a) the effect of the proposal on the character and appearance of the area, (b) whether the proposal would result in ancillary accommodation to the main dwelling and (c) the effects of the proposal on the setting of a Grade II listed building, known as Rumballs Barn.

Reasons

Character and appearance

4. The appeal site comprises a dwelling, the converted listed building, and a detached double garage to the side in a residential cul-de-sac, known as Rumballs Court. This cul-de-sac comprises family sized dwellings of traditional design which date to the late 20th century. On one side of the entrance into the cul-de-sac, there is a small scaled thatched building and the much larger listed Rumballs Farmhouse. The residential development of the area has resulted in a tight-knit and dense urban quality.
5. The extensions would also be discretely located to the rear of the existing garage. Lack of public view is not the sole determinant of judging acceptable visual and character impact. However, the extended garage would be smaller in footprint and floorspace, and it would be no higher than the main barn. It would be externally finished in materials that match the existing garage. As a result, the scale and design of the extension would be subservient and not dominate the main dwelling, the converted barn.
6. For all these reasons, the extensions would not harm the character and appearance of the area in accordance with Policies HOU11 and DES4 of the East Herts District Local Plan (EHDLP) 2018, which amongst other matters, require development to be of a size, scale, mass, form, siting, design and materials of construction that are appropriate to the character, appearance and setting of the existing dwelling and surrounding area, extensions to generally appear as a subservient addition, with a high standard of design and layout reflecting local distinctiveness.

Ancillary accommodation

7. The extended garage would comprise two bedrooms, bathroom and WC at the first floor, and kitchen, WC and entrance at the ground floor, as well as the garage and associated store. The accommodation entrance would be to the side facing the entrance to the main dwelling which is located to the rear of the listed converted barn. There is an access path separating the entrances which leads to the rear garden of the dwelling.
8. The extension would primarily be for an ill close family member in need of supervisory medicinal support by the appellant and provide a home for that member enabling independent living, stability and enhanced well-being compared to a residential home. Additionally, it would provide living space for the appellant's growing family. By reason of its siting and entrance relationship, the extended building would be close to and well related to the main dwelling. It would have a clear functional link to the main dwelling due to the identified family connections and given the range of family requirements, it would be the minimum level of accommodation required to support the appellant's needs.
9. For all these reasons, the extended annex would be justifiably used in connection with the main dwelling in accordance with Policies HOU13 and HOU11 of the EHDLP, which collectively and amongst other matters, require accommodation to form an extension to the main dwelling, capable of being used as an integral part of the dwelling or form a separate outbuilding which is close-well related and having a clear functional link to the main dwelling.

Setting of the listed building

10. The timber barn dates back to the late 17th century to early 18th century with later bay addition and outshots. The statutory list entry (list entry number 1271528) detailed the barn as timber framed with weatherboard exterior, thickly tarred, corrugated metal roof, four bays with brick outshots, cart entrance in original central bay and an open end from the removal of a later addition. There are double cart doors at the north side, brick outshot at the south side with rounded corner and decorative ventilation holes in brickwork and plank door to outshot with similar hinges to east door and cart doors. There are also significant timber joinery features within the building further identifying the barn's age and character.
11. The barn was granted planning permission to a residential property in 2001. The corrugated roof has been replaced with clay tiles, windows in the form of dark timber casements and larger openings have been infilled, including the entrance opposite the garage, with glazing. New exterior boarding is heavily stained in a dark colour. Whilst there has been a domestication of the barn's character and appearance, the conversion has retained agrarian qualities, its overall form, evidential fabric and historic integrity, relevant to its historical and architectural significance and special interest.
12. However, the appreciation of the barn's agricultural qualities has been significantly reduced with the surrounding estate-like housing, in place of former open fields, and its boundary separation from the 19th century farmhouse, Rumballs Farmhouse, including its thatched barn and cartshed. As a result, understanding the barn's agricultural past is largely confined to close-to and immediate views of the barn itself. Within its context, the garage provides very little contribution to the appreciation of the Barn's significance and special interest by reason of its domestic nature and features, for instance the car doors.
13. The proposed extensions would be to the rear of the garage facing the rear end of the Barn. They would not be visible from the main public frontage where the architectural and historical significance and special interest of the listed Barn is mainly appreciated. Public views of setting areas are not sole determining factors in understanding a listed building but, in this case, the extensions to the side and rear would be to a building that contributes little to setting. The extended building would also appear subservient with a high standard of design.
14. The Councils Conservation and Urban Design Officer has requested a reduction in depth of the extension but states that the proposal has a neutral effect on the setting of the listed building. For all these reasons, the setting of the listed Barn would not be harmed, and the proposal would comply with Policies HA7, HOU11 and DES4 of the EHDLP, which collectively and amongst other matters, requires extended buildings to be subservient and a high standard of design.

Other matters

15. To the rear, the occupiers of neighbouring properties on Salters have objected on grounds of loss of privacy and lighting pollution/glare. However, there would be a substantial separating distance between the extended garage and the houses of the residents which would prevent significant loss of privacy and light pollution/glare.

Conditions

16. Suggested conditions have been considered in light of the advice contained in Planning Practice Guidance. Some have been amended, shortened and amalgamated in the interests of clarity and precision taking into account the guidance. A condition requiring the development to be carried out in accordance with the details shown on the plans is necessary in the interests of proper planning and for the avoidance of doubt. In the interests of the character and appearance of the area, a condition is necessary to ensure matching materials to the existing garage. A condition is necessary to ensure the outbuilding would be ancillary to the main dwelling, the Barn.

Conclusion

17. There are no material considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be granted. For the reasons given above the appeal should be allowed.

J Parsons

INSPECTOR