



Appeal Decision

Site visit made on 17 December 2024

by **C J Leigh BSc(Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th January 2025

Appeal Ref: APP/J1535/D/24/3351000

1a Game Farm Cottage, Old House Lane, Roydon, Harlow, CM19 5DN

- 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 M Marino against the decision of Epping Forest District Council.
 - The application Ref is EPF/1753/23.
 - The development proposed is raising of the pitch of the roof to accommodate first floor living accommodation
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Preliminary matters

1. The appeal concerns a building which was originally built as a horticultural packing shed around 1992 and used in conjunction with a nearby nursery. There appears to be a complex planning history of the building and neighbouring properties, but in relation to the appeal building I am informed by the Council that planning permission was granted in 2014 (ref. EPF/1276/14) and 2020 (ref. EDF/0395/19) for conversion into a self-contained dwelling.
2. The Council further says that conditions attached to both those permissions were not discharged and the permissions not implemented. Nonetheless, the refused application was a householder application, and the Council's Delegated Report states that the building is a residential property with the proposals were clearly determined on the basis of being an extension to an existing dwelling. I have therefore treated this appeal on the same basis.
3. The extension as shown in the drawings refused by the Council have been carried out, though the extended building has not been clad and rendered as shown.
4. The Council say that the works require listed building consent. I have determined the sole appeal before me, namely this planning appeal under s78 of the Town and Country Planning Act 1990 (as amended).

Decision

5. The appeal is dismissed.

Main issue

6. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, which lies within the Nazeing and South Roydon Conservation Area, and the effect on the setting of listed buildings.

Reasons

7. The appeal site lies within the Nazeing and South Roydon Conservation Area, which covers a large rural area with loose-knit buildings that front roads and open fields. The significance of the area as a heritage asset derives from the rural and relatively undeveloped character. I have a duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
8. To the south of the property are two Grade II listed buildings. Under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a duty to have special regard to the desirability of preserving the setting of a listed building.
9. The listed building of Old House dates from the 16th Century with a timber frame and plastered construction with a tiled roof. Later alterations and extensions in the 18th, 19th and 20th Century are identified in the listing, and the property can be seen as a good example of traditional farmhouse characteristic of the locality. The significance as a heritage asset derives from the architectural detail that has evolved over time, the scale of the building, and the historic connections with the agricultural origins of the locality.
10. The Barn is a late 17th Century timber-framed building with weatherboarding and pantile roof. It has been converted to a dwelling. The significance as a heritage asset derives from its original agricultural appearance and form remaining evident, and the clear link to its historic function. The scale of the two listed buildings relate well together, as a harmonised pair of historic agricultural buildings.
11. The extension to the appeal building sees the walls raised on all elevations with a shallow-pitched roof. The scale and form of this extension has a poor relationship with the wider area and the adjoining listed buildings, and does not satisfy the requirements of Policy DM9 of the Epping Forest District Local Plan (2023) that requires a high quality design in all development. The eaves to the raised roof have an awkward association with The Barn, where they seem to hover uncomfortably between the eaves and the ridge of The Barn with no coherent design approach or evident thought as to how the extension should respond to The Barn. In views from the east, the extended building would appear ill-proportioned due to there being an absence of suitably-proportioned or detailed fenestration in the elevation.
12. The shallow pitch for the extension is at odds with the large, steeply pitched roof of The Barn, and this emphasises the impression of there being a visually poor connection between the two buildings. A clumsy element of infill between the appeal building and The Barn at the eaves level of The Barn further highlights the insensitive association between the two buildings that has been created.
13. By notably increasing the scale of the appeal building, and with a design that is inappropriate to the area, there is also harm to the setting of Old House: the extended building similarly dominates in the grouping of buildings here and detracts from the quality of the collection of former agricultural buildings. This has a wider impact on the rural character of the Conservation Area.
14. The design and scale of the extensions therefore create a property that is over-dominant in the group of buildings. This disrupts the wider character of the area and so harms the significance of the Conservation Area as a heritage asset. The

scale, proportions and design of the extended building is dominant and harmful to the setting of the adjoining listed buildings, and so harms their significance as heritage assets.

15. Paragraph 212 of the Planning Policy Framework states that great weight should be given to the conservation of heritage assets, and paragraph 213 says any harm to significance should require clear and convincing justification. I attach considerable importance and weight to this harm. That harm would be less than substantial and so, in accordance with paragraph 215 of the Framework, must be considered against the public benefit of the proposal. The works to the property are private benefits for an existing dwelling which, for the reasons given, are unacceptable. I therefore conclude that there are no public benefits arising from the proposed works that would outweigh the harm identified. The proposals would thus be contrary to Policy DM7 of the Local Plan, which seeks to preserve or enhance heritage assets and their setting, and with the Framework.
16. The conflict with the development plan and the Framework mean the appeal is dismissed.

C J Leigh

INSPECTOR