

Appeal Decision

Site visit made on 16 August 2016

by **S J Buckingham BA (Hons) DipTP MSc MRTPI FSA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th September, 2016

Appeal Ref: APP/J1535/W/16/3150162

9 Church Hill, Epping, Essex, CM16 4RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alan Dickinson against the decision of Epping Forest District Council.
 - The application Ref EPF/3024/15, dated 27 November 2015, was refused by notice dated 9 March 2016.
 - The development proposed is demolition of a two storey extension and conservatory on the rear elevation of Dane Lodge and its conversion into three apartments, the demolition and replacement of the rear outbuildings to provide one apartment and the erection of a new detached two storey building providing two mews houses, together with the provision of associated on-site parking and a bin store.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council's planning decision notice includes a list of plan numbers which is not up-to-date. I have taken into account the most up-to-date plans in reaching a decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character and appearance of the Epping Conservation Area.

Reasons

4. Dane House, no. 9 Church Hill is an early nineteenth century villa with simple detailing still evident to the rear and shallow pitched roof, visible now over its ornate, late nineteenth century frontage and other extensions. It sits just outside the commercial part of the town centre, facing The Green, and as historic mapping information indicates, originally stood out as a building of some size and status, with a generous garden and equipped with a coach house and stable, set alone in what was then farmland. This character can still be read; the garden setting remains, as do the outbuildings, a composition given greater interest through the addition of the side extension featuring a large arched entrance. These add up to a quirky but attractive and conspicuous element in this part of the Epping Conservation Area which makes a positive contribution to its character and appearance.

5. The Council offices to the south, which stand out as a large building in this setting, mark emphatically the transition between the densely developed commercial heart of the conservation area that is the High Street, and the more open character to the north, where houses and gardens including trees and mature vegetation predominate.
6. The conversion of the main building and carriage-arched extension into three flats is not a matter of contention between the parties in terms of design. The front door, as one key element of the frontage, would be retained in use, while another, the carriage archway, would continue to be expressed as a void, although glazed for use as windows/doors.
7. The coach house and stable outbuildings with a possible hay loft and small open-sided workshop are of plain, workmanlike construction and of interest as a picturesque group and unusual survival of early service buildings associated with the house. However, their condition is extremely poor, and any attempt to retain them would be likely to require extensive rebuilding.
8. The replacement of these outbuildings with structures of very similar dimensions and picking up some of the characteristic details of the originals would signpost their former presence, and retain some of the historical texture of the sites as having previously contained working structures as well as the more polite main dwelling. The presence of some fenestration on the side facing Homefield Close would create a marginal improvement on the currently blank brick faces. The replacement of the outbuildings would not, therefore, have a harmful effect in design terms on the character or appearance of the conservation area.
9. The proposed two storey block, containing two mews houses, to the north of the host building would sit in part of the original open garden area to the house. Its frontage to Church Green is currently poorly bounded with close boarded timber fencing which sits uncomfortably next to the good, possibly early nineteenth century, iron railings to the front of the host dwelling itself. This element of the appeal scheme would have the effect of introducing what would appear from the front to be an additional house into the site. It would reduce the open setting of the host building to the side, making it part of the continuous run of houses running up Church Hill. To the rear, it would project back to nearly the end of the remaining garden area, creating what would in effect be a courtyard between the original house, recreated outbuildings and parking area to the rear.
10. This element of the appeal proposal would therefore introduce a significant built element into the setting of Dane House, and cause a significant reduction to the original garden setting of the building which had marked out its high status as a large villa in an originally open rural setting. The proposed two storey block would, because of this, have a harmful visual impact on the setting of Dane House, a locally listed building, and thereby also reduce its historic significance. This element of the appeal proposal would therefore have a harmful effect on the character and appearance of this part of the conservation area. While some improvement to the boundary treatment to the front of the site could accrue from the proposed development, this benefit would not outweigh the demonstrable harm otherwise created.

11. The introduction of six new dwellings onto the site of what was formerly a single family dwellinghouse would inevitably lead to greater levels of activity than previously. The considerations of the Inspector in the appeal case provided by the Council (Ref. APP/J1535/W/15/3127840) are relevant to my considerations. However, 9 Church Hill is in a busy area on the periphery of the town centre and adjoining the Council offices, and which notwithstanding its residential character, differs from an area of purely suburban housing. The circumstances of the appeal case brought to my attention are not therefore directly comparable to the circumstances of this appeal. Movements by the occupiers of the site through the site to the parking area would tend to be to the rear of the main frontage to The Green, and the numbers of car journeys generated would not appear great in the context of activity levels in the surrounding area. I consider therefore that the appeal proposal would not generate levels of activity which would have a harmful effect on the character of Epping Conservation Area.
12. The removal of vegetation to the front and side boundaries of the appeal site would entail the loss of shrubs and some small trees of limited visual or arboricultural interest. Replanting which maintained or improved the greening of the site could be secured by the use of conditions. I do not, therefore, consider that the appeal proposal would have a harmful impact on the appearance of the conservation area in this respect, and would not conflict with policy HC6 of the Epping Forest District Adopted Local Plan 1998 (LP) where it states that the Council will not consent works to trees which would be detrimental to the character appearance or setting of a conservation area.
13. In conclusion, therefore, the loss of the garden setting of Dane House would cause harm to the character and appearance of the Epping Conservation area, meaning that the proposed development would be in conflict with Policy CP2 of the Epping Forest District Local Plan Alterations, 2006 (LPA) which seeks to protect the quality of the rural and built environment, Policy CP3 of the LPA which requires that the scale and nature of new development is consistent with the principles of sustainability and respects the character and environment of the locality, and Policy CP7 of the LPA which seeks to maintain the environmental quality of urban areas and to protect the character of areas of architectural and historic importance. It would also conflict with the Framework, which requires that great weight be given to the conservation of the character and appearance of conservation areas as designated heritage assets

Other Matters

14. The Framework states that if a five year supply of housing cannot be demonstrated, the Council's policies for the supply of housing are out of date. However, even were I to accept that the Council does not have a five year supply, this would not inevitably lead to the appeal being allowed. As the Framework requires that great weight should be given to the conservation of designated heritage assets, although elements of the scheme, such as its location in proximity to local economic activities, shops, services and transport opportunities are sustainable, they are significantly and demonstrably outweighed by the harm that the proposed development would have to the character and appearance of the Epping Conservation Area.

15. The location of the proposed development in an area of good access to other forms of transport and the provision of six parking spaces mean that it would not be likely to generate parking or traffic problems in the area which would compromise highways safety. The covered parking area and storage building to the rear of the site are modest in height, and their shallow hipped roofs are not likely to project much higher than the existing high timber boundary fence. They are not therefore likely to deprive the garden of no. 1 Homefield Close of light. There is no firm evidence to suggest that the development would cause any additional drainage problems.

Conclusion

16. In conclusion therefore, and taking into account all matters raised, the appeal is dismissed.

S J Buckingham

INSPECTOR