
Appeal Decision

Site visit made on 20 September 2016

by Lesley Coffey BA Hons BTP MRTPI

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

Decision date: 3 November 2016

Appeal Ref: APP/H1515/W/16/3152065
Coptfold Road, Brentwood, Essex CM14 4BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Clever Clogs Day Nursery against the decision of Brentwood Borough Council.
 - The application Ref 16/00073/FUL, dated 18 January 2016, was refused by notice dated 29 April 2016.
 - The development proposed is a ground floor side and front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal proposal includes internal and external alterations to a Grade II listed building, however a listed building application has not been submitted. The listing description states that the building was listed particularly for its historic interest as one of the earliest police stations in England which can be positively identified.
3. The description above is taken from the application form, the Council's decision notice describes the proposal as '*Demolition of an outbuilding that hosts boiler and storage room and the construction of a proposed ground floor side and front extension*'. This revision was not agreed by the appellant and I have determined the appeal on the basis of the description on the application form which I consider adequately describes the proposal.
4. As the appeal involves a listed building, I am required to take account of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. As the listed building is also in a conservation area, I am required to take account of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Main Issues

5. I consider the main issues to be:

- Whether the proposal would preserve the special architectural or historic interest of the listed building or its setting or any features of special architectural or historic interest which it possesses, and whether it would preserve the setting of the listed buildings at 4-24 Coptfold Road; and
- Whether the proposal would preserve or enhance the character or appearance of the Brentwood Town Centre Conservation Area.

Reasons

Listed Building

6. The appeal property is a prominent building situated at the corner of Coptfold Road and Library Hill. It also has a frontage to Queens Road. Whilst the appeal site is relatively level, it is situated at a slightly lower level than the adjacent footway in Coptfold Road and is elevated above Queens Road by about 2.5 metres. It is separated from the listed terrace at 4-24 Coptfold Road by an infill building and occupies a prominent position within the Brentwood Town Centre Conservation Area.
7. It is a predominantly two storey building dating from the mid-19th century. Due to its scale and prominent position it is a landmark building within the town centre. The original building has a square form with the main entrance porch facing towards Library Hill. It was originally constructed as a police station and was later used as a library. Essex was the first English county to form a police force under the County Police Act of 1839 and the appeal building is historically significant as one of the earliest police stations in England which can be positively identified.
8. The building has been subject to a number of alterations over the years. These include a timber clad single storey entrance lobby to serve the existing nursery use. In addition, a freestanding single storey building has been linked to the main building. There are also a number of other structures within the curtilage of the building which are used in conjunction with the existing nursery use. Whilst the alterations to the building and the structures within its curtilage are not particularly sympathetic to its appearance, most are lightweight structures and the original building remains clearly identifiable with most of its original features unchanged. Its original setting, which adds to its significance, is readily discernible. I consider the appeal property to be a significant building both in terms of its history and its architectural merit.
9. The appeal building and the terraced dwellings are designated heritage assets. The National Planning Policy Framework (NPPF) requires heritage assets to be conserved in a manner appropriate to their significance. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through the alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss requires clear and convincing justification.

10. The proposal is a resubmission of a previously withdrawn scheme. There are two main elements to the proposal, the replacement of the existing entrance lobby with a new entrance lobby and office, and the demolition of the existing boiler room and the provision of an additional classroom within the courtyard area. In addition, the internal layout of the building would be re-configured.
11. The existing entrance lobby is not part of the original building and does not add to its significance or enhance its appearance. Notwithstanding this, it is subservient to the original building in terms of its size and appearance and is clearly identifiable as an addition to the building. Therefore the harm arising from it is limited.
12. The proposed new entrance lobby and office extension would occupy almost the entire length of the north elevation of the original building. It would extend in front of the ground floor sash window closest to the corner and the lower part of the first floor window. The roof would be part pitched and part crown. The extension would be clad with matchboard panels with double glazed windows. Whilst the application form states that windows to the extension would be timber sash windows, those shown on the submitted plans appear to be casement windows and are entirely unrelated to the fenestration pattern of the upper storey, or indeed, any part of the original building.
13. Whilst it would seem that it is proposed to retain the original ground floor window between the proposed office and the adjoining classroom, no details have been submitted to show how this will be achieved internally. Externally the proposed extension would fail to reflect the materials, proportions or form of the listed building and would result in the concealment of a historic window, harm to the appearance of another window and harm to the original form of the building. The proposed extension would be conspicuous in views from Library Hill, Coptfold Road, and New Road. It would be seen as a incongruous addition unrelated to the form or appearance of the listed building and would significantly harm views of this prominent corner.
14. The proposed classroom extension would extend close to the boundary with the neighbouring property. It would have a square footprint with a crown roof. It would be finished with bricks to match the existing building with uPVC sash style windows. The proposed windows would be disproportionate to the scale of the proposed extension. The classroom extension would require the demolition of the existing boiler house building and part of the existing single storey which accommodates an existing classroom and sleeping area would be demolished. Due to the size and position of this extension, the form of the original building would be obscured. Moreover, the extension would be entirely at odds with the form, scale and appearance of the listed building.
15. The classroom extension would lack the high quality detailing of the original building, particularly in terms of the windows and the eaves line. It would appear as a disparate addition to the original building and unlike the existing single storey buildings on the site, it would not be subservient to the host building.
16. Together the extensions would occupy almost the entire width of the site. In terms of their appearance, form and materials, they would be unrelated to each other and the original building. The introduction of uPVC windows and matchboard cladding would detract both from the appearance of the listed building and the listed terrace at Coptfold Road, where the majority of the

neighbouring buildings, which form part of the historic fabric of the town, retain their original timber sash windows. In this regard the proposal would conflict with Policy C14 of the Brentwood Replacement Local Plan (2005) which amongst other matters requires materials to be sympathetic to the surrounding buildings and the conservation area.

17. Individually and together the proposed extensions would be disproportionate in terms of size and scale to the original building. They would obscure or damage much of the original fabric of the building and the extensions would occupy much of the space around the building. This area is of considerable importance to the setting of the listed building and its historic significance. Due to the size and prominence of the extensions they would also harm the setting of the listed terrace. There is a recently constructed building between the appeal site and the listed terrace. Although this building is a modern addition to the terrace, it reflects the form, materials and scale of the adjoining terraced dwellings and unlike the appeal proposal it does not harm the setting of the listed buildings either side of it.
18. I therefore conclude that the proposal would fail to preserve the special architectural or historic interest of the appeal building and its setting, and the setting of the listed buildings at 4-24 Coptfold Road contrary to Policy C15 of the Local Plan which amongst other matters requires extensions and alterations to be appropriate and sympathetic in terms of design, scale and materials scale to the listed building.

Conservation Area

19. The appeal site occupies a prominent position within the conservation area and due to its size and position it is a landmark building. In views from Coptfold Road, Library Hill and New Road the proposed extensions would be conspicuous due to their location, size and materials. They would be prominent and discordant features within the conservation area. They would detract from the setting of the listed terrace as well as the appeal property. I conclude that the proposal would neither preserve or enhance the character or appearance of the Brentwood Town Conservation Area contrary to Policy C14 of the Local Plan.

Other Matters

20. I understand that the appeal scheme was submitted following discussions with the Council. Whilst the appeal scheme may be lesser in scale by comparison with the previously submitted scheme, for the reasons given above, it would be harmful to the listed building and the character and appearance of the conservation area.
21. The appellant suggests that the front extension could be removed from the proposal. Whilst this would reduce the level of harm to the listed building, the submitted appeal includes both extensions and the implications of the removal of this element of the proposal for the layout of the nursery is unclear. Notwithstanding this, the harm arising from the classroom extension is considerable and justifies the dismissal of the appeal even if the front extension were to be deleted from the scheme.
22. I acknowledge that the boiler house may be an addition to the original building and that the manner in which it is linked to the original building is relatively unsophisticated. Although, it is unclear from the submitted evidence when the

boiler house was erected, it has evidently been in place for a very long time as is demonstrated by its inclusion within the listing description for the property. I consider that the boiler house reflects the history of the building and its previous uses. Due to its size and form it does not harm the significance of the listed building. Therefore the demolition of this building is not a benefit of the proposal.

23. The appellant states that the nursery is currently operating at capacity and therefore the extension is necessary for the business to expand. It is also suggested that the existing building is not fit for purpose, but the reason for this view is unclear and would appear to be at odds with the outstanding rating from Ofsted.
24. The proposal would accommodate 24 additional children and create additional employment opportunities. These considerations weigh in favour of the proposal and I afford them significant weight.
25. The appellant makes reference to a recently erected close-boarded fence to the boundary with the neighbouring property. I understand that this boundary was previously marked by a wall. I have no information as to the circumstances in relation to the erection of the fence or the nature of the previous wall, however, unlike the appeal proposal it does not represent an alteration to the listed building or justify the harm that would arise from the appeal proposal.
26. The proposal would considerably harm the significance of the listed building, however, this would amount to less than substantial harm. In accordance with the advice at paragraph 134 of the NPPF, this harm should be weighed against the public benefits of the proposal. Whilst the provision of additional nursery places and the creation of additional jobs would be benefits of the proposal. I consider these benefits to be insufficient to outweigh the harm identified above.

Conclusion

27. For the reasons given above I conclude that the appeal should be dismissed.

Lesley Coffey

INSPECTOR