

Appeal Decision

Site visit made on 22 March 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 28 May 2021

Appeal Reference: APP/J1535/Y/20/3254465

'The Old Granary', Copped Hall Estate, High Road, Epping CM16 5HS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr G Myford against the decision of Epping Forest District Council.
 - The application (reference PL/EPF/2949/19LB, dated 1 November 2019) was refused by notice dated 15 April 2020.
 - The works proposed are described in the application form as "alterations to previously approved single storey rear extension (EPF/1163/19 & EPF/1168/19LB) as well as basement underneath single storey rear extension to add additional living space".
-

Decision

1. The appeal is allowed and listed building consent is granted for the construction of a single storey rear extension (incorporating a basement), at 'The Old Granary', Copped Hall Estate, High Road, Epping CM16 5HS, in accordance with the terms of the application (reference PL/EPF/2949/19LB, dated 1 November 2019), subject to the conditions set out in the attached Schedule of Conditions.

Preliminary points

2. Notwithstanding the description of the proposed works that was given in the application form, the nature of the proposal can more clearly be expressed as the construction of a single storey rear extension (incorporating a basement).
3. The application to the local planning authority sought both planning permission and listed building consent for the proposals. This appeal is against the refusal of listed building consent.
4. Although 'Copped Hall' itself and other buildings that are historically related to it are listed in their own right, 'The Old Granary' is not and it now stands in a clearly separate curtilage. It may be doubted, therefore, whether listed building consent is required in this case. Nevertheless, this matter has not been the subject of detailed submissions and I have dealt with the appeal as it comes before me.

Main issue

5. The main issue in this listed building consent appeal is the impact of the proposed extension on the on the host building and on its setting (including its relationship to other listed buildings and to the Copped Hall Conservation Area).

Reasons

6. Copped Hall Estate is an extensive countryside area contained in the Copped Hall Conservation Area and extending both to the north and the south of the M25 London Orbital Motorway. The surroundings are primarily rural and agricultural in character, although there are scattered buildings and groups of buildings on the estate. The whole area lies within the Green Belt.
7. 'The Old Granary' is located to the north of the Motorway, within a group of buildings that lies a short way to the north of Copped Hall Mansion, which is listed (Grade II) as a building of special architectural or historic interest. This building group covers a number of former outbuildings to the main house which have been converted to form dwellings.
8. 'The Old Granary' itself dates from the nineteenth century and is now a dwelling, with a large double garage and a small shed. It has retained its original form overall, as a simple construction clad in weatherboarding under a slate hipped roof, and it retains some distinctive features, including its staddle stones (beneath a suspended timber floor). It makes a positive contribution to the character and appearance of the Conservation Area, although it is not a listed building in its own right. Other buildings in the group are listed buildings, however, and attention has been drawn to 'Copped Hall' (or 'Copt Hall') itself (with its attached walls, pavilions and conservatory) and to the 'Racquets Court'.
9. It has already been accepted by the local planning authority, in principle, that 'The Old Granary' could be extended and planning permission was granted in 2011 and again in 2019 for a single-storey extension. This extension would have added about 32 square metres to the original floor area and I have no reason to doubt that this approved project would be realistic and viable in itself.
10. It is now proposed to construct a different extension from that which has already been approved. The new extension would create a separate building element, with a small link section, but it would incorporate a basement in order to provide additional accommodation.
11. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant listed building consent for works that would affect a listed building. In such cases, it is necessary to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses. Other provisions in the Act require decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

12. Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving and enhancing the historic environment, though it also points out the desirability of putting a heritage asset to its "optimum viable use" as does the 'Planning Practice Guidance'.
13. Policies in the Development Plan do not have the same weight in respect of applications for listed building consent as would be the case in respect of an application for planning permission.
14. Nevertheless, policies in the Development Plan are intended to promote good design and to protect the qualities of the countryside, more generally. In particular, Development Plan policies are aimed at protecting heritage and the historic environment, notably at Policy HC6 of the adopted 'Epping Forest District Local Plan', which deals with conservation areas, and Policy HC3 of the 'Local Plan', specifically in relation to "Registered Parkland". Moreover, Policy HC14 of the adopted 'Local Plan' relates specifically to the Copped Hall Estate and sets out some criteria for proposed development, in the context of the Green Belt and the historic location, while taking a positive approach generally.
15. In visual terms, the extension that is now proposed would be very similar to that which has already been approved on two occasions and which could be carried out. The main area of the extension would be visually separate from the host building, with a subsidiary link structure emphasising the form of the original building and identifying its original role in the wider building group. The principal difference between the current scheme and the previously approved scheme would be the incorporation of a basement.
16. The existing building is raised on staddle stones and its existing "living/dining room" opens onto a terrace that is also raised above adjoining ground level. The ground floor level of the proposed new extension would be constructed to suit the existing floor level and the additional basement would therefore be provided with high level windows in the new bedroom emerging at ground level on the exterior, without disturbing the original design intent. The volume of the proposed extension above the ground would not be increased to a material degree.
17. Moreover, the existing dwelling is quite small and the current proposal would add only two good-sized habitable rooms: a living room at ground floor level, with a double bedroom and shower room beneath.
18. The location for the proposed extension is very secluded, in the private garden behind 'The Old Granary', screened by the large garage building, trees and vegetation. Moreover, there would be only a very limited visual difference between the approved scheme and the current proposal, as has been pointed out, and I am not persuaded that the basement would undermine the character of 'The Old Granary' in its historic environment. In consequence, the proposals that are the subject of this appeal would have no material impact on the setting of listed buildings in the vicinity, nor on the character or appearance of the Conservation Area.
19. The appeal scheme would amount to a modest extension to the existing dwelling but it would some provide useful additional space and would, thereby, add to the stock of residential accommodation in the locality, albeit in a very

limited way. It would not harm the character or appearance of the host building or its surroundings. Hence, I have concluded that the project would not be in conflict with the national legislation and planning policies or with the Development Plan, in principle, and that it is acceptable in planning terms.

23. In short, I am persuaded that the scheme before me can properly be permitted and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
24. I have, however, also considered the need for conditions and, in imposing conditions, I have taken account of the conditions suggested by the Council in the usual way (without prejudice to their main arguments in the appeal), subject to modifications necessary, in my opinion, in the interests of clarity, simplicity and enforceability. I have concluded that planning conditions are necessary, to define the listed building consent and to ensure that quality is maintained. The Tree Protection Plan is included within the approved drawings and must be complied with, to ensure that existing trees are not damaged inadvertently.

Roger C Shrimplin

INSPECTOR

SCHEDULE OF CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of this decision.
2. The works hereby permitted shall be carried out in accordance with the following approved drawings:
 - drawing number 1881/01A (As Existing);
 - drawing number 1881/03C (As Proposed);
 - drawing number MP/GRAN/01A (Tree Protection Plan).
3. The materials to be used in the construction of the external surfaces of the works hereby permitted shall match those used in the existing building.