The Planning Inspectorate

Appeal Decision

Site visit made on 9 August 2022

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th August 2022

Appeal Ref: APP/J1535/D/22/3296623
131 Theydon Grove, Epping, CM16 4QB

- 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 Mr Scott Fitzgerald against the decision of Epping Forest District Council.
- The application Ref EPF/2897/21, dated 3 November 2021, was refused by notice dated 25 February 2022.
- The development proposed includes a two-storey side infill extension and internal modifications.

Decision

1. The appeal is allowed and planning permission is granted for a two-storey side infill extension and internal modifications at 131 Theydon Grove, Epping, CM16 4QB in accordance with the terms of the application, Ref EPF/2897/21, dated 3 November 2021, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1632-00, 1632-01, 1632-03, 1632-04.

    3) Prior to the use of any external materials, details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Main Issues

2. The main issues in the appeal are the effects of the development on:

    - the significance of a heritage asset (No 131 Theydon Grove); and
    - the character and appearance of the Epping Conservation Area.

Reasons

Significance of heritage asset

3. The appeal property is a grand, detached house. The dwelling is identified as a locally listed building by the Council and is therefore a non-designated heritage asset. A datestone on the rear elevation indicates the dwelling was constructed in the late-Victorian period. The dwelling is of aesthetic value; the roof lines,

tall chimneys, brick detailing at eaves and other features, provide considerable visual interest. These features contribute strongly to the building's significance.

4. The dwelling is situated within a large garden, enclosed by a high wall and dense, tall hedges and trees. Access is from Theydon Grove via a long driveway behind two sets of large metal gates. Views into the site from public spaces are therefore very limited.

5. The dwelling has been extended and modified considerably over time with the inclusion of modern features such as uPVC windows, doors, storm porch and a large metal flue. A detached garage has been erected on the site. As such the original plan of the building has already been substantially altered.

6. The proposal would represent a further large extension. However, the proposed extension would be located within a relatively enclosed part of the site, adjoining a modern part of the building. The proposed extension would mainly be visible from private areas of the garden, generally out of view when approaching the dwelling from the driveway access and screened from public spaces by the site's tall boundary treatment. This factor, and the minimal contribution of the building's original plan to its significance, serve to mitigate the harm to legibility of the original building's layout.

7. The scheme's design replicates many of the existing building's significant features, such as its form, roof line, detailing and materials. The replacement of an existing dormer window with 'conservation style rooflights' could even have a positive effect on the aesthetic value of the dwelling, particularly when approached from the driveway access toward the front door.

8. For these reasons, the proposal would not harm the legibility of the historic plan form and massing of the building and so would not harm its significance. The proposal does not therefore conflict with policy HC13a of the Adopted Local Plan Alterations 2006 which encourages the maintenance of locally listed buildings, or policy DM7 of the emerging Epping Forest District Council (Submission Version) 2017 which requires proposals affecting local heritage assets to demonstrate how the asset's significance will be retained.

Character and appearance of Conservation Area

9. The appeal site is located within the Epping Conservation Area. The Conservation Area boundary (as illustrated on the Conservation Area plan) includes land and buildings within Epping's historic core, in general proximity of the High Street. The numerous Statutory Listed and Locally Listed buildings located within the Conservation Area provide historic and architectural interest and contribute to the Conservation Area's significance.

10. As previously discussed, the appeal site is enclosed by tall vegetation and walls and the proposed development would not be visible within the street-scene. Therefore, the bulk and design of the proposal would not harm the character and appearance of the Conservation Area. Consequently, the proposal would not conflict with saved policy HC6 of the Adopted Local Plan (1998) which restricts developments that are detrimental to the Conservation Area.

Conditions

11. In addition to the standard condition which relates to the commencement of development, I have also attached a condition specifying the approved plans in the interests of providing certainty.

12. A condition requiring approval of materials is also necessary to ensure that the appearance of the proposed extension would be sensitive to the historic character of the dwelling and its significance as a heritage asset.

Conclusion

13. For the reasons given above, the proposal would accord with the development plan taken as a whole and therefore I conclude that the appeal should succeed.

E Dade

INSPECTOR