



Appeal Decision

Site visit made on 18 February 2025

by **O S Woodward MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/J1535/Y/24/3355282

The Maltings, 6 Palmers Hill, Epping CM16 6SG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by T-Space against the decision of Epping Forest District Council.
 - The application Ref is EPF/0837/24.
 - The works proposed are replacement of conservatory with side extension, and internal remodelling to basement and ground floors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Because the appeal relates to a refusal to grant listed building consent and the appeal site lies in the Epping Conservation Area (the CA), I have had special regard to Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. A revised National Planning Policy Framework (the Framework) was released in December 2024 and further amended in February 2024. The changes were not material to the main issue for the appeal so I have therefore based my Decision on the revised document without needing to consult the main parties for comment.

Main Issues

4. The main issues are whether or not the proposal:
 - preserves the Grade II listed building '6 Palmer's Hill'¹ or any features of special architectural or historic interest which it possesses; and,
 - would preserve or enhance the character or appearance of the CA.

Reasons

Listed building

Significance

5. No 6 is part of a larger building including Nos 6a and 8 to the north. Although the address is given as No 6 alone, Nos 6a and 8 are physically attached to No 6 and the list description mentions a recessed north wing, which can only be a description of Nos 6a and 8. Nos 6, 6a and 8 combined therefore comprise the

¹ List entry number 1169493

listed building. The proposed works only relate to No 6 but must be considered in the context of the significance of the building as a whole.

6. Historical mapping and other evidence demonstrate that the original part of the building, ie No 6, was built in the early 19th Century. It is constructed of red brick with a slate roof. It has timber framed, single glazed sash windows, trellised entrances to the front and rear, and a French door access to the rear garden. Part of its significance derives from the historic fabric and pleasant architectural composition of this original part of the building.
7. A north wing, what is now No 6a, was constructed between 1838 and 1881. A further extension to the north, what is now No 8, was constructed between 1881 and 1895. Until 1920 the whole building, even as extended, was one house. However, by 1933 it had been split into two buildings, with the split being between the current Nos 6 and 8. At this stage, the floorplan to No 6 was very similar to now. These were then unified back to one property before being sub-divided again into two houses by a planning permission and listed building consent in 1988². Since then, No 8 was further divided into two properties to create Nos 6a and 8.
8. I have not been provided details of how the floorplan to No 6 was affected by the splitting of the wider building into separate dwellings before 1933, the unification to one building again in 1988, and then the re-version to separate houses since. However, it is likely that such works would have involved internal re-configuration. Even so, the sitting room which runs the full width of the building is likely to be as originally laid out, and is a particularly successful room, well proportioned, light filled, and clearly high in the hierarchy of spaces of the building. It positively contributes to the significance of the building.
9. The staircase is across the full width of the hallway, blocking direct access and inter-visibility from the front to the rear entrances. The floorplan from 1933 confirms such a layout has existed since at least that date. The current awkward utility area behind the staircase has also, therefore, likely existed since that date. However, the hallway the staircase sits within is the principal hallway of the home. Both the front and rear entrance doors are relatively grand, with trellising and other detailing. It is therefore likely that the original layout of the building would not have included a staircase across the full width of this hallway. Therefore, despite its longevity, the staircase and utility area behind are, at best, neutral contributors to the significance of the building.
10. The land is at a lower level and the conservatory is set a half-storey below the ground level of the main part of the building. This has resulted in fairly large access stairs within the conservatory up to the internal door providing access to the main house. This door is set within an archway in the original side elevation to the house, which is an aesthetically pleasing detail that also provides legibility that this would have originally been an external door. This door and archway, and their relationship to one another, are positive contributors to the significance of the building.
11. The conservatory was constructed in the late 19th Century and has likely remained connected to and a part of the dwelling, either as the whole building or just as No 6, ever since. The timber and glazing section sits on a brick plinth, which is constructed of grey bricks and is likely not, therefore, original to the red brick main

² Refs EPF/1703/88 and LB/EPF/0098/88

building. Nevertheless, the brickwork potentially dates from the conservatory's likely construction in the late 19th Century and is therefore historic if not original. The timber and glazed part of the conservatory is likely more modern and is in a relatively poor state of repair.

12. The brick plinth is relatively short and the conservatory structure is a lightweight, mainly glazed, timber frame. It also sits at a lower level than the main house, further emphasising its subservience. However, visually and spatially the conservatory relates awkwardly to the main house. Overall, although the conservatory contains some historic fabric and is suitably subservient to the main building, because of this awkwardness, it is a neutral contributor to the significance of the building.

Assessment

13. The demolition of the conservatory including the brick plinth would result in the loss of historic, if not original fabric. The remodelling of the staircase would also result in the loss of some historic, although not original, fabric. This would cause some harm, albeit limited, to the architectural and historic interest of the property. The timber and glazing to the conservatory are more modern and in a poor state of repair. The loss of this fabric would not, therefore, be harmful.
14. The proposed extension would have a larger footprint than the conservatory. It would also be bulkier and a more substantial construction overall, being largely brickwork albeit with fairly significant glazing. However, it would still be set down a half-storey from the main building and would have some articulation from the instep to the side elevation and the breaking up of the roof into two sections. It would therefore be appropriately subservient to the listed building in terms of bulk and mass.
15. It would be modern architecture, with clean lines and a horizontal emphasis to the glazing. There is a vertical emphasis to the fenestration to the main house and this would thus provide a counterpoint to the main building which, in the context of a subservient modern structure, is a successful architectural approach. In addition, architectural elements of the main building are reflected, such as through a sloped roof. The clearly distinct nature of the architecture would be successful in creating a structure clearly legible as a modern addition. Subject to control of the detailed design and materials by condition, it would be of acceptable detailed design and would be an improvement on the current conservatory with its awkward relationship to the main building.
16. The relocation of the kitchen to the extension would be a move away from the likely arrangement when the building was originally built. However, it would reflect modern living styles in a clearly legible modern extension and is within a building that has changed layout several times. In this context, this element of the proposed works would be acceptable.
17. However, the proposed new access to the basement level and down towards the new extension would intrude into the current sitting room. This would disrupt the current well-proportioned space and erode the architectural and historic interest of this key room that currently positively contributes to the building's significance. In addition, the staircase would necessitate creating a new access door to the extension. It is not made clear on the submitted drawings, but the ground levels would mean this would have to be at the floor level of the extension. Therefore, the

door would have an awkward relationship to the brick archway because it would be significantly below the archway, and it would also result in the loss of historic fabric to the original outer wall.

18. The Council disputes the quality of the submitted heritage assessment by the appellant, stating it is insufficient. However, the appellant submitted a reasonably detailed Heritage Statement with the original planning application and this has been augmented by further detail as part of its Statement of Case. This includes descriptions of the listed building, historic map and other records and other research. It could perhaps include more detail, for example regarding the 1988 permissions. However, the amount of information required need only be proportionate to the works proposed, and the appellant's information is sufficient to understand the potential impact of the proposal on the significance of the listed building.

Overall

19. Given the above, and specifically from the harm caused from the proposed access stair within the sitting room and the loss of historic fabric, I conclude that the proposal would fail to preserve the special architectural or historic interest of the Grade II listed building, thus failing to satisfy the requirements of the Act, Paragraph 210 of the Framework and development plan policies insofar as relevant. I assess the level of harm to be less than substantial.

Conservation area

Significance

20. The CA's character is eclectic with a wide range of architectural styles, including historic, modern and modernist elements. It has an area around The Green that is more open in character and appearance and tranquil in nature. However, there is also an area within the CA which extends along High Street with a busier, more commercial feel. The appeal site sits within the area around The Green and is set back from the nearest road on a private drive behind Palmer's Hill. It is well screened from the pavement and road along Palmer's Hill and is set slightly away from The Green. However, the building is visible in glimpsed views from the pavement and road.
21. The listed building is an attractive building of high intrinsic architectural merit, as set out above. However, it is not particularly prominent and is within a CA with a wide variety of architectural styles, and varying character. Overall, therefore, the building positively contributes to the significance of the CA as a whole, but only to a limited degree.

Assessment

22. As set out above, the external effect of the proposed works would be an enhancement. Modern architecture is already prevalent in the CA in various locations. The proposal would, therefore, enhance the character and appearance of the CA, thus satisfying the requirements of the Act, Paragraph 210 of the Framework and development plan policies.

Heritage Balance

23. In accordance with Paragraph 212 of the Framework, I place great weight on the conservation of designated heritage assets. Although less than substantial, I place considerable importance and weight on the harm that I have identified to the listed building. As set out at Paragraph 215 of the Framework, where there is less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing their optimum viable use.
24. In this case, the remodelling of the staircase would result in a planform which would better reflect the likely original layout and would re-introduce a direct visual and functional relationship between the two primary external entrances to the building. The loss of the utility area directly adjacent to the primary original rear access to the rear garden to be replaced by direct access to the principal hallway would also enhance the layout of the building. The external appearance of the extension would be an improvement on the existing. These are public benefits because of the improvements to the heritage assets. There would also be some, albeit minor, economic benefits from the construction of the works.
25. There is no evidence before me, nor reason to believe given that No 6 is currently a reasonably sized house in good condition, that the works are required to secure the ongoing viable use of this part of the building as a home.
26. The harm to the significance of the listed building that I have identified in the sitting room area, to the internal door and archway between the sitting room and the proposed extension, and through loss of historic fabric, outweighs the limited public benefits set out above.

Conclusion

27. For the reasons above, the appeal is dismissed.

O S Woodward
INSPECTOR