



Appeal Decision

Site visit made on 17 June 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 30 July 2025

Appeal Ref: APP/J1535/W/24/3358124

227 High Road, Loughton, Essex IG10 1BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr T Brough (J Group Ltd) against the decision of Epping Forest District Council.
 - The application Ref is EPF/1693/24.
 - The development proposed is described as a change of use of Pub (pub with food) to a shared space comprising of Retail, Café with meeting space and Health Well Being on the ground floor, Health Well Being Services on the first floor and Office Accommodation on the Second floor. Demolition of the existing poor configured extensions to the rear of the building, replacing with new extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The property was originally constructed as a Post Office, with subsequent additions. Following its redundancy in the early 1990s, it was converted into a Wetherspoons pub in 1993 and later operated as a pub and restaurant until its closure in 2023. In April 2024, the property was purchased by the appellant.

Main Issues

3. The main issues are:
 - the effect of the proposed development upon the character and appearance of the surrounding area, including the non-designated heritage asset, known as the Last Post;
 - the effect of the proposed development upon the living conditions of neighbouring occupiers; and
 - the effect of the proposed car parking and delivery arrangement, having regard to congestion and highways safety.

Reasons

Character and Appearance

4. The surrounding high street is comprised of a diverse street scene, featuring a mix of building types and forms. These range from single-storey shop units to four-storey buildings with commercial ground floors and residential accommodation above. Architectural styles vary significantly, reflecting the different periods of

development, with modern flat-roofed structures positioned alongside more traditional pitched-roof buildings. The material palette along the high street is similarly varied. Older buildings predominantly feature red brick, while more contemporary structures incorporate alternative materials, contributing to the visual diversity of the area. The buildings along the high street are typically arranged in an irregular pattern, often interspersed with small open spaces such as alleyways and driveways. This, combined with the generous width of the highway, creates a balanced relationship between built form and open space.

5. The appeal site consists of two principal components, the original inter-war frontage and the large rear sorting office. The parties acknowledge that the principal frontage building, known as The Last Post, is identified as a Locally Listed Building within the 'List of Buildings of Local Architectural or Historic Interest' maintained by Loughton Parish. As such, The Last Post is also classified as a non-designated heritage asset. While it does not meet the standards for inclusion on the national list, I agree that its local importance justifies its recognition and protection as a non-designated heritage asset.
6. Paragraph 216 of the National Planning Policy Framework (the Framework) establishes that the effect on the significance of a non-designated heritage asset should be taken into account in determining an application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
7. The frontage is a large, symmetrical red brick structure dating from 1932, which reflects a straightforward, Georgian-revival style typical of the period. It is an attractive, distinctive and highly visible structure that contributes positively to this character by maintaining a sense of openness and visual balance, due to the separation between it and adjacent buildings. It was designed to provide a light and welcoming public space at ground floor level, with offices above, creating an impressive civic presence that remains sensitive to its surroundings. The building is two storeys in height and features a hipped tile roof with no visible chimneys, a parapet with ornamental stone urns at the corners, and a central ornate entrance flanked by tall, semi-circular arched windows with stone keystones. The first floor includes simple 8-over-8 sash windows. Traditional materials such as red brick and stone window surrounds are used throughout, and high-quality craftsmanship is evident in details like the arched window headers and the ornate stone door surround.
8. The parties disagree on the heritage value of the former sorting office, which is not explicitly referred to within the local listing. Nonetheless, the Council's Conservation Officer maintains that, despite its single storey and simple design, the sorting office complements the architectural language of the frontage. It shares key features with it, such as matching red brickwork, tall semi-circular arched windows, and parapet detailing with stone capping. These elements suggest a deliberate architectural continuity with the main building. In contrast, the appellant considers that the sorting office has likely undergone substantial alteration and appears to have been entirely rebuilt during the 20th century. They highlight differences in brick colouration, the absence of keystones on the window surrounds, and the presence of later ventilation features. A comparison of the 1940 and 1967 Ordnance Survey maps is cited to support the claim that the current structure is a later addition, designed to replicate elements of the original frontage rather than forming part of the original composition.

9. Taken together, the heritage significance of the appeal site, lies primarily in the functional and architectural coherence of its original use as a purpose-built inter-war postal facility. The frontage holds clear architectural and aesthetic significance, exemplifying the Georgian-revival style with high-quality materials and detailing. While it is acknowledged that the sorting office is more modest in form, the Council considers that it reflects the architectural language of the main building and, as such, possesses design quality. I concur with this assessment and find that it's alignment with the design language of the frontage, whether original or a later sympathetic addition, contributes positively to the legibility of the building's historic function. Even if it is a later addition, the sorting office reinforces the narrative of the site's operational history and supports an understanding of the appeal site as a unified civic complex. As such, both elements hold heritage value: the frontage for its architectural merit and civic presence, and the sorting office for its contribution to the building's historical integrity and functional legibility. The building's former use as a post office and as a pub, both indicate the social value of the building, in terms of its historic value in the community and the evolving character of the area.

10. The proposed development would result in the demolition of the rear sorting office, thereby removing the sympathetic design elements between the two principal components of the site. In its place, a modern structure is proposed that bears little visual or architectural relationship to the retained Georgian revival frontage. The introduction of green tiles, angular side extensions, and large contemporary windows would create a discordant visual contrast, undermining the aesthetic significance of the original building. The proposed scheme fails to retain or reflect key features of the existing frontage, resulting in a harmful juxtaposition between the historic and modern elements. Furthermore, the demolition would erode the functional legibility of the site. The rear sorting office forms an integral part of the historic operation of the post office, and its removal would obscure the understanding of how the site historically functioned as a cohesive whole. While the proposed uses, such as the retail, café, meeting space, and a health and wellbeing centre, will retain some social value, this would not sufficiently mitigate the harm caused to the site's overall heritage significance. As such, it is considered that there would be considerable harm to the significance of The Last Post as a non-designated heritage asset.

11. In terms of the broader impact on the character and appearance of the area, the proposed development would represent a suitable use for a social space, particularly given the high street setting and the historic association of the appeal site as a semi-public facility. Within the street scene, the development would introduce angular architectural lines that are atypical of the surrounding built form. While the use of modern detailing and large windows would differ from nearby buildings, these differences would not be so pronounced as to appear incongruous, especially given the existing diversity of architectural styles in the area. The retention of a courtyard adjacent to the frontage would further soften the impact of the new built form by preserving a sense of openness between the development and neighbouring properties. However, while the proposed building would be partially hidden behind the retained frontage, its considerable bulk and massing would undermine the modest scale of the original structure. Accordingly, instead of framing the existing building attractively within the street scene, it would detract from its presence. Moreover, the proposed use of recycled-content green glazed tiles bears little visual or material relationship to the surrounding context. In

both colour and texture, these tiles would conflict with the prevailing palette and materials of nearby buildings, introducing a discordant and visually intrusive element into the streetscape.

12. In summary, the proposed development would result in considerable harm to the heritage significance of The Last Post, both through the loss of the historic fabric of the sorting office and the introduction of incongruous design elements. It would also have a harmful effect on the general character and appearance of the surrounding area, due to the use of materials and bulky presence of the building, which would be visually at odds with the established street scene.
13. In conclusion, the proposed development would have a harmful effect upon the character and appearance of the surrounding area, including the non-designated heritage asset, known as The Last Post. It would not achieve a high quality of design, contrary to Policy DM9 of the Epping Forest District adopted Local Plan (2023) ('the LP'). It would not preserve non-designated heritage assets in a manner appropriate to their significance, contrary to Policy DM7 of the LP.

Living Conditions

14. The appeal site is surrounded by a mix of commercial and residential properties. While the presence of the Telephone Exchange to the rear would limit certain views from the proposed development, the use of the site also raises considerations regarding residential amenity.
15. The appeal site is located in close proximity to the rear garden of No.15 Priory Road. While a second-floor window, identified as part of an office space, is proposed to face towards the garden of No. 15, it is not situated within the main office floor area. The appellant has provided evidence indicating that this window would be approximately 38.8 metres from the rear elevation of No. 15 Priory Road, which exceeds the 26 metre separation distance recommended by the Essex Design Guide for opposing rear elevations. Additionally, there would be over 18 metres between the proposed rear extension and the garden boundary of No. 15. Given the urban context, where a degree of mutual overlooking is commonplace, and considering the separation distances, the location of the window, and the screening effect of the Telephone Exchange, I do not consider that the proposed development would result in any significant or unacceptable harm to residential amenity for this specific property.
16. A residential unit also exists on the first floor of No. 225 High Road, with habitable room windows that directly face the appeal site. The submitted ground floor plans indicate that no windows from the proposed development would face this property, and that a refuse store would be positioned between the health and wellbeing space and No. 225, providing a degree of separation. At first floor level, one window is proposed on the flank elevation of the new development, which would directly face the windows of No. 225. No obscured glazing is indicated on the submitted plans. At second floor level, access onto a green roof is proposed which could directly overlook No.225, thus allowing downward views into their habitable rooms. The proposed courtyard, intended as an open green space for daytime public use, may also introduce some level of activity and associated disturbance, particularly as it adjoins the access point for the residential unit.
17. The appellant has suggested that the proposed use would involve quieter, purpose-driven activities operating within standard daytime hours. However, while

the wellbeing focused nature of the proposal implies a lesser focus on alcohol sales, the proposed operating hours would still permit the sale of food and drink until 11pm from Monday to Saturday. This could facilitate the sale of alcohol, and no conditions have been proposed to restrict this. As a result, there remains the potential for the premises to operate in a manner more akin to a bar or club.

18. Accordingly, concerns remain regarding privacy and the potential for alcohol consumption on-site. The presence of unscreened viewing angles from the proposed first-floor window and the accessible green roof would likely result in direct views into the habitable rooms of No. 225 High Road. There is no satisfactory evidence before me that meaningful mitigation measures, such as screening, obscured glazing, or restricted access to the green roof, have been incorporated into the scheme to overcome this issue. Similarly, the absence of restrictions on alcohol sales raises the possibility of disturbance levels comparable to the site's former use.
19. The appellant has expressed a willingness to accept a condition to require the approval of obscured glazing for flank windows and a condition to restrict the use of the courtyard to between 8am and 9pm. While these measures are noted, there remains a lack of clarity regarding the intended use and level of access to the green roof spaces. Notwithstanding their environmental benefits, it is unclear whether or how access to the green roofs would be restricted or whether they would be available for general or recreational use by visitors. In the absence of such detail, I am not satisfied that the proposed conditions would adequately mitigate the risk of overlooking or loss of privacy to No. 225. Furthermore, no conditions have been proposed to limit the sale of alcohol on the premises. Therefore, I do not consider that these or other conditions would make the development acceptable in planning terms. Consequently, while I acknowledge the appellant's view that the proposed use could generate less noise and disturbance than its former use as a pub, the conditions which have been proposed would not be sufficient to secure this outcome. Accordingly, I find that the scheme would not provide meet with the Framework requirement that development should create places with a high standard of amenity for existing users.
20. In conclusion, the proposed development would have a harmful effect upon the living conditions of some neighbouring occupiers. It would not avoid overlooking and loss of privacy detrimental to the living conditions of neighbouring occupiers, contrary to Policy DM9 of the LP.

Highway Safety

21. The proposed development would result in the loss of the existing parking and delivery area, currently located to the side of the main structure. The plans indicate that services and deliveries would instead be facilitated from the opposite side of the building. It is also noted that outdoor refuse stores are proposed along both sides of the building.
22. In terms of connectivity, the appeal site benefits from a highly sustainable location due to its central position on the High Road. The appellant explains that the site is within a short five-minute walk of a tube station and is close to numerous bus routes. This is not disputed by the Council. This good level of accessibility would likely reduce reliance on private vehicles. Parking along High Road and surrounding residential streets is typically subject to time restrictions and charges,

discouraging long-term parking. Given the nature of the shared space and its appointment-based use, it is reasonable to expect that the facility could operate without dedicated parking. This would be consistent with the previous use of the site as a pub, where many visitors likely arrived without significantly impacting local parking demand. Therefore, it is considered that the proposed use would not result in a material change in parking pressure compared to the former pub use.

23. Regarding servicing, the appellant states that the site's requirements are minimal, with only four delivery trips expected per day, as supported by TRICS data. These deliveries would primarily involve small vehicles such as courier vans and bicycles. Deliveries are proposed to be managed via two existing on-street loading bays located approximately 10 metres and 70 metres from the site. Following the submission of additional information, it is noted that the Highway Authority has not maintained its objection to the proposal. Given the likely low level of deliveries and the availability of nearby loading bays in a busy commercial area, it is considered unlikely that the proposed development would result in unacceptable highway impacts. Although the proposal would result in the loss of the existing on-site delivery area, it is considered feasible, should this scheme be approved, to address delivery and servicing arrangements through a planning condition. I am satisfied that such a condition could adequately mitigate concerns regarding potential loading or unloading on the public highway.
24. In conclusion, the proposed car parking and delivery arrangement are considered acceptable, subject to appropriate conditions, having regard to congestion and highways safety. It would provide appropriate parking and servicing provision, in compliance with Policy T1 of the LP.

Other Matters

25. The appellant has stated the proposed change of use from a pub to a mixed-use wellness hub is underpinned by the financial non-viability of the pub's continued operation. However, there is limited evidence before me regarding viability. Additionally, the proposed change of use does not appear to be contingent on this specific form of development. Accordingly, this matter attracts only limited weight in favour of approval.

Planning Balance

26. The proposed development would deliver a range of benefits. Socially, the scheme would introduce a wellness hub offering various therapies aimed at promoting health and wellbeing. It would also provide flexible spaces for retail and café uses, alongside meeting rooms that could serve as valuable community assets. The adjacent side courtyard is intended to function as a semi-public space, akin to a small public square. The proposed refurbishment could also enhance the accessibility of the appeal site.
27. Economically, the development could generate employment opportunities during both the construction and operational phases. The hybrid use of the site could contribute additional commercial floorspace and job provision, thereby supporting the vitality of the town centre and increasing local footfall. From a heritage perspective, it is considered that it could restore certain lost architectural features of The Last Post. This includes the removal of unsympathetic signage, ductwork, and extensions, as well as the relocation of refuse storage to the rear.

28. Environmentally, the proposed development incorporates a range of sustainability measures. These include the installation of air source heat pumps, photovoltaic solar panels, and a sustainable drainage system. The proposal also seeks to increase the site's ecological value through the provision of bat boxes and the integration of intensive green roofs. As a car-free development with on-site cycle storage, it would also promote sustainable modes of transport.
29. All these benefits are acknowledged and collectively attract moderate weight in favour of the scheme.
30. On the other hand, I have identified harm to the character and appearance of the area, including to The Last Post, a non-designated heritage asset. I consider this harm to carry substantial weight. Additionally, there would be harm to the living conditions of some local occupiers, which is also a significant drawback of the scheme and similarly attracts substantial weight. Taken together, the harm and associated policy conflict weigh heavily against the proposal and result in non-compliance with the development plan when considered as a whole. These adverse impacts are not outweighed by the benefits of the scheme, which I consider carry only moderate weight. On balance, the planning considerations fall against the proposal.

Conclusion

31. The proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed

S Lo

INSPECTOR