



Appeal Decisions

Site visit made on 12 August 2025

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2025

Appeal A: APP/H1515/W/24/3356332

Former Clever Clogs Day Nursery, Coptfold Road, Brentwood CM14 4BN

- 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 Oliver Brookes of Bright Horizons Family Solutions Limited against the decision of Brentwood Borough Council.
 - The application Ref is 24/00229/FUL.
 - The development proposed is construction of single storey side extension (following demolition of existing boiler room and WC) and bin and buggy store, improvements to existing front porch on the northern elevation. Fenestration alterations and other external alterations and refurbishment.
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Appeal B: APP/H1515/Y/24/3356334

Former Clever Clogs Day Nursery, Coptfold Road, Brentwood CM14 4BN

- 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 Mr Oliver Brookes of Bright Horizons Family Solutions Limited against the decision of Brentwood Borough Council.
 - The application Ref is 24/00230/LBC.
 - The works proposed are construction of single storey side extension (following demolition of existing boiler room and WC), improvements to existing front porch on the northern elevation. Fenestration alterations and other external alterations and refurbishment.
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Decisions

1. Appeal A and B are dismissed.

Preliminary Matters

2. I have taken the descriptions of development and works from the decision notices as it has been confirmed that changes from the application forms were agreed. The plans were amended during the applications. The appellant's appeal submissions refer to the early and amended designs. To avoid prejudice to parties, I have determined the appeals on the basis of the plans which were determined by the Council.
3. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).

Main Issues

4. The main issues are whether the proposed works and development would:
 - Preserve the Grade II listed building known as "Brentwood Library" (Ref: 1297264) and any of the features of special architectural or historic interest that it possesses,

- Preserve or enhance the character and appearance of the Brentwood Town Centre Conservation Area; and
- Preserve the setting, as it relates to the special interest of the nearby Grade II listed building known as “4-24 Coptfold Road” (Ref: 1206043).

Reasons

Brentwood Library

5. The listed building was a public library at the time of listing and last used as a nursery. It was one of the earliest Police Stations in England that can be positively identified, completed in 1851 with Essex being the first county to form a police force. The historic core of the building has the greatest amount of architectural interest with stucco quoins and cornices prominent on the Queens Road end. The building was considerably extended in the 19th century which reflects changes in how policing was delivered at that time.
6. The large extension is primarily brick with pitch slate roof, with the earlier part having parapet and flat roof elements. Internally some of the historic features have been removed and the layout altered. However, some features, such as the historic dogleg stair remain. Externally, there are historic sash windows, although of differing design and often with larger sheets of glazing at first floor.
7. A small porch, currently with air conditioning units adjacent, and a bricked-up area between pillars on the boundary wall relate to a previous entrance to the Police Station which is of some evidential value given that it indicates historic patterns of use.
8. There are also single storey extensions on the elevation facing the adjacent properties of a simpler design reflecting their functional use. This includes what was a detached outbuilding which may have previously been a wash house which was subsequently attached to the main building. This is currently described as the boiler house.
9. Despite the alterations to the building many of its historic features have been retained and are largely legible, in particular externally.
10. The building’s elevation above Queens Road, location at the end of this part of Coptfold Road and position opposite New Road mean the building is a prominent feature on the approach to it from most sides.
11. Given the above, the special interest of the listed building, insofar as it relates to these appeals, is primarily associated with its historical association with the early, and continued development of the police force and their changing operational requirements as well as its historic architectural detailing.

Boiler House Demolition

12. Internally, little remains of any boiler house historic features. If not part of the first phase of development at the site, it is likely it was erected shortly afterwards. This is because, architecturally the exterior of the building has a similar style and colour of brick and small pane sash window without horns, as reflected in some of the other fenestration. However, the boiler house has less external detailing than other parts of the building, reflecting its ancillary historic use. Moreover, it illustrates the

development of the building in terms of how additional services, in this case likely a wash house, were provided and the chimney remains. This element of the historic phasing of the listed building would be lost along with the historic fabric.

13. The boiler house needs repair works both internally and externally. However, while it is indicated that the investment needed to repair it would not be viable, no detailed breakdown of the works or the costs involved have been provided. Recording of the building would not avoid the loss of its historic fabric or the loss of understanding and appreciation of the historic legibility of the building.

New Extension

14. A flat, rather than sloping roof, or crown roof as proposed in a previous scheme, would reduce the height of the extension and allow views over of the first floor of the rest of the building. The rectangular shape is similar to other parts of the building. However, a flat roof is not something found on the existing boiler house or the majority of the rest of the building. It is also considerably different in terms of detailing and appearance from that of the historic core of the building and the attached porch.
15. While set in more from the side boundary than the previous scheme, the far larger footprint would result in the extension obscuring much of the existing single storey subservient elements on this side of the building. Currently these can be seen from nearby buildings, the street and on the approach from New Road. Although it would not affect the architectural detailing of the main elevation, the position and scale of the extension would be visually overwhelming and erode the legibility of the historic phasing of the building.
16. The use of brick and timber sash windows reflects the existing boiler room and much of the rest of the building. The horizontal emphasis and larger glazing relate to many first-floor windows and those proposed for the altered front porch. The plinth and parapet detailing would be similar to other parts of the listed building but less elaborate than the quoins and window architraves.
17. Even if these features are typical of service areas in other buildings, they are not features of the more utilitarian boiler room. The proposed windows would not have the same vertical emphasis or small panes that the majority of the windows at ground floor level have, including the existing boiler house. Moreover, the detailing is not something currently found on the service areas of this building. Even though it would be set back from the street, as it would face towards the New Road approach, the incongruous fenestration and detailing would be obvious. The more elaborate detailing and discordant window design would draw the eye. It would elevate this part of the building, challenge the overall hierarchy, and erode the utilitarian form of this phase.
18. In addition, as with the proposed timber window to the Coptfold Road porch, I do not have detailed plans showing glazing, glazing bars, frames, or any decorative elements for the proposed windows. As such, I cannot be sure that these elements would be suitable in this regard. Given the importance of these details for considering the special interest of the building, it would not be appropriate to impose a condition requiring such details being agreed after any permission/consent being granted.

19. There is no consistency of style across the building as a whole. The extension would include elements from the different phases of development. However, it would neither appear as a clearly separate distinct phase nor replicate any of the previous phases or existing boiler room. It would be an incongruous and distracting addition. The new extension would fundamentally alter the simpler utilitarian appearance of this part of the building as it relates to the existing boiler house and other smaller scale additions.

Dumb Waiter

20. Floors and ceilings in the area where the dumb waiter is proposed appear modern. But no investigations have been made to clarify what is beneath the modern surfaces. While a condition for further investigation and potential changes to avoid historic fabric is suggested, I cannot be sure what is between the modern surfaces. The creation of a dumb waiter could consequently result in a small loss of historic fabric within the building. Moreover, it has not been demonstrated that relocation or alteration to avoid this would be possible.
21. On the evidence before me, there is insufficient information to establish the acceptability of the proposal in terms of its impact on the historic built fabric of the building relating to this aspect of the scheme.

Soil Pipe

22. While existing, the evidence indicates the soil pipe is unauthorised. The soil pipe in place that runs around much of the Library Road and Queens Road elevations of the building is to be retained and is largely screened by boundary treatments and features within the site. Nevertheless, it is a lengthy and bulky feature that jars with the external appearance of the building. Whilst the removal of the air conditioning units would be beneficial to the special interest, the pipe would become more prominent with the removal of the screening associated with the existing air conditioning units. As such, it is harmful. There is limited justification to show that the proposed layout is the only one that could achieve the facilities required. Therefore, there could be less harmful ways of achieving the toilet facilities.

Other works and development

23. Much of the internal layout has already been altered. There would be some further loss of fabric including the reconfiguration of the toilets in the 3-5 years area. This does not appear to relate to historic building walls. The proposed ground floor glazed partition would still allow views through and not harm the understanding of the building. At first floor level again the parts where layout changes are proposed appear to be already much altered and the proposed changes consequently would not be harmful.
24. The buggy and bin store would be largely screened by the boundary wall, away from the listed building on the existing car park. Due to this and the discreet materials they would also not harm the special interest.
25. Therefore, these elements would have a neutral effect.

Benefits

26. There would be from some benefits of the works and development. The proposal would remove the existing air conditioning units and associated wiring and screens

which are relatively prominent from Library Road. Even if these existing features do not have consent, their relocation to the outbuilding would reveal more of Brentwood Library and were the appeals to be allowed conditions could be imposed regarding details of vents in the outbuilding. This would also be the case for the removal of part of the Copfold Road porch, although to a lesser extent given the size of the works and limited features it would reveal.

27. The current colour of the outbuilding, similar to the listed building, means it is relatively discreet despite its position near the boundary. There would though be benefit from the outbuilding itself being re-stained. The partial opening up of the gate on to Library Road and associated path creation reflects the historic layout of the site and would allow a better appreciation of how it used to function.
28. However, these benefits do not outweigh the harm.

Conclusion on the effect on the Brentwood Library

29. Overall, the proposal would fail to preserve the special interest of Brentwood Library. Due to the number and nature of concerns, the proposal would cause harm at the lower end of less than substantial but nevertheless is of considerable importance and weight.

Brentwood Town Centre Conservation Area (CA)

30. The appeal site is at the edge, but within the CA with many modern buildings close by. The significance of the CA is derived, insofar as relevant to this appeal, from the varied but often traditional architecture of the buildings and their function within the town centre. Brentwood Library is an example of such a building with historic importance linked to the development of civic uses within the town centre and architecturally from its traditional, although not wholly consistent appearance and features. It contributes positively to the significance of the CA.
31. Due to the scale of the building and its raised position above some of the adjacent roads it is relatively prominent in nearby views. The existing boiler house and position of the proposed extension is not overly visible and is partly screened by the rest of the building and surrounding built form in some views. Nonetheless, as above, its low key and functional appearance can be seen from nearby buildings, as well as parts of Copfold Road and New Road. The bulky appearance, incongruous roof style, windows and detailing would be obvious and draw the eye. This would jar with the existing built form in the CA where historic buildings generally do not have contrasting extensions.
32. Thus, the proposal would fail to preserve the character and appearance of the CA. Given the scale and prominence of the proposal in relation to the CA as a whole, the harm would be at the lower end of less than substantial but nevertheless is of considerable importance and weight

No's 4-24 Copfold Road (the terrace)

33. The terrace is located close to the appeal site. It has a continuous parapet roof and moulded cornice. There are sash windows with moulded architrave and other front elevation detailing. Its special interest comes, in part, from its historic interest as early 19th century terrace housing and architectural interest from the consistency and quality in terms of design and materials.

34. Within the nearby area, and setting of the terrace, there is a varied built form, including modern and far taller buildings along Coptfold Road and New Street. There is generally little space or gaps between buildings. The appeal site is one of the historic buildings, although largely unrelated in terms of design and function to the terrace. There is a more modern building, although of restrained appearance between the appeal site and the terrace. Although nearby, the appeal site makes a neutral contribution to the setting and significance of the terrace, being a relatively plain and functional space.
35. The proposed extension, and the terrace would be experienced together, including travelling along and views from Coptfold Road and New Road. As set out above, the extension would be bulky and incongruous in terms of design with Brentwood Library. Notwithstanding this, the appeal scheme would not dominate the listed building or the streetscene. It would not compete with the terrace and there is already some built form in this area of the site.
36. The position, materials and intervening built form mean that the other external works, including the bin and buggy store would not harm the appreciation, setting or special interest of the terrace.
37. Given the diverse streetscene, the proposal would not detract from the setting of the terrace or the ability to appreciate and understand it. The proposal would preserve the setting of the terrace, as it relates to the special interest.

Other Matters

38. The conduct of the Council during the application and appeal process is not a matter that affects my findings on the main issues above.

Heritage and Planning Balance

39. Some of the changes relate to the internal parts of the building or those not overly visible in public vantage points. Despite this, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
40. The proposal would fail to preserve the special interest of Brentwood Library and fail to preserve the character and appearance of the CA.
41. There would be public benefits from the improved facilities for childcare in an accessible location where there is a demand for such services. There would be economic benefits associated with the works and occupation of the building. There would also be benefits from the proposed landscaping. A lack of harm in terms of matters such as highway safety and living conditions of nearby occupiers are neutral factors.
42. The building is currently not in use and the works would be to facilitate the re-opening of a nursery keeping the building in a 'community' use as it has historically been. The proposal would lead to some beneficial works as outlined above. However, from what is before me, the building is not in a perilous condition or in need of extensive repairs. No details of other potential uses have been provided or alternative extensions in terms of scale, design, location at the site or different internal arrangements. There may be other less harmful ways of extending the building or providing the accommodation sought. In addition, it has not been

demonstrated that the appeal scheme is the only or optimum viable use of the building and that it would cause the least harm to the significance of the asset.

43. The above factors do not outweigh the harm that would be caused. They do not represent clear and convincing justification for the harm to the assets involved. Great weight is given to the assets' conservation. The benefits clearly do not outweigh the considerable importance and weight in the planning balance from the harm to the designated heritage asset.
44. As such, the proposal would fail to satisfy the requirements of the Act, as well as the heritage protection aims of the National Planning Policy Framework. Insofar as they are relevant, the proposal would be contrary to heritage and design aims of Policies BE14 and BE16 of the Brentwood Local Plan.
45. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

Conclusion

46. For the reasons given above the appeals should be dismissed.

Stuart Willis

INSPECTOR