



Appeal Decision

Site visit made on 22 August 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2025

Appeal Ref: APP/J1535/W/25/3365051

Essex House, 118 High Street, Ongar, Essex CM5 9EB

- 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 Panesar of PM Build Ltd against the decision of Epping Forrest District Council.
 - The application reference is Ref: EPF/2067/24
 - The development proposed is described as 'Installation of bike stores fronting High Street pursuant to prior approval for the change of use from Class E business use to 7 no. dwellings (C3), which was granted under reference EPF/1196/24 on 25th July 2024.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the significance of the non-designated heritage asset, Essex House, the setting of the nearby listed buildings and whether it would preserve or enhance the character or appearance of the Chipping Ongar Conservation Area.

Reasons

3. The appeal site is located at the front of Essex House, an ornate red-brick, two-storey building of late 19th-century origin, situated on a corner plot between High Street and Castle Street. Formerly used for commercial purposes, the building has planning consent for conversion to provide seven dwellings. Essex House is a locally listed, non-designated heritage asset, valued for both its aesthetic and historic significance. Its character and appearance make a positive contribution to the surrounding area.
4. The appeal site lies within the Chipping Ongar Conservation Area, a designated heritage asset. Under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Based on my observations, the significance of this Conservation Area appears to stem, in part, from its historic character centred around the High Street and the presence of numerous individually listed buildings. Essex House forms an integral part of this historic environment and, as a highly prominent feature in the streetscene at a prominent location where the High Street

narrows, makes a positive contribution to the overall significance of the Conservation Area.

5. The proposed cycle stores are located in the area between the main building and the railings fronting High Street, making them visible from both High Street and Castle Street, as well as from several surrounding neighbouring properties. The appellant has proposed a design incorporating a 'living green' roof and a stained green façade, along with screening via containerised hedges featuring boxwood (*Buxus sempervirens*) and other climbing species on the existing railings.
6. Without this screening, the cycle stores would appear as prominent and substantial structures in a highly visible location, thereby harming the significance of the non-designated heritage asset. While the installation of containerised hedges and other planting would in itself not necessarily harm the asset's significance and is consistent with boundary treatments on several nearby properties referenced by the appellant, vegetation is inherently temporary and if not maintained, can detract from the character and appearance of the area. It cannot be relied upon to permanently screen development or mitigate adverse visual impacts. Moreover, its installation would not restrict views from surrounding listed buildings. I am not persuaded that the installation of further boundary vegetation on the streetscene would make a positive contribution to the character and appearance of the area, in tandem with similar boundary treatments in the vicinity it has the potential to create additional visual clutter as referenced by the Council.
7. Therefore, the proposed development would have a harmful impact on both the character and appearance of the Conservation Area and the significance of the non-designated heritage asset.
8. The appellant has stated that the proposal is necessary to replace an internal cycle storage area permitted under Ref: EPF/1196/24, which does not comply with building regulations. These regulations stipulate that ancillary areas, such as cycle storage, cannot be located on ground floor escape routes. Where such accommodation is unavoidable, it must be separated from the escape route by a permanently ventilated lobby to meet safety standards. To achieve compliance at the appeal site, an external vent would have been required, potentially resulting in a more detrimental impact on the appearance of the host building. However, the Council has identified provisions within the Building Regulations that allow for relaxation of these requirements in specific circumstances, including where a building has historical interest or is located within a Conservation Area. This point has not been challenged by the appellant. I am therefore not persuaded that internal cycle storage could not be accommodated within the building, which undermines the primary justification for the proposal before me.
9. There are several Grade II listed buildings within the Conservation Area and in close proximity to the appeal site. These include: 114 High Street (adjoining the appeal building), 108 High Street, 107 and 109 High Street, 113 High Street, 117 High Street, 121–127 High Street, and the Alliance Building Society and Messrs Rogett. The significance of these buildings appears to derive, at least in part, from the period of construction of their structures and their status as well-preserved examples of vernacular architecture typical of their age and type. Their historic setting along High Street and Castle Street, within the Chipping Ongar Conservation Area, contributes to how these assets are experienced and

appreciated. This setting makes a positive contribution to the overall significance of the listed buildings.

10. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision-maker, when considering whether to grant planning permission for development affecting a listed building or its setting, to have special regard to the desirability of preserving the building, its setting, or any features of special architectural or historic interest. The Council has raised concerns regarding the impact of the proposed development on the listed building at No. 114 High Street, which adjoins the appeal site. These concerns relate to the proposal being of low quality and visually cluttered. I have not identified direct harm relating to the other listed buildings which are somewhat removed from the appeal site and are therefore less susceptible to impact on their setting than the directly adjacent listed building.
11. While the hedging to the front of No. 114 forms a coherent composition that complements the listed building, the proposal before me in its entirety detracts from the setting of the host building and, by extension, the adjacent listed building. I agree with the Council's assessment of this issue and conclude that the development would have a moderately negative impact on the setting of the listed building.
12. For the reasons outlined above, the proposed development would harm the significance of the non-designated heritage asset, Essex House, as well as the character and appearance of the Conservation Area and the setting of the adjacent listed building at No. 114. As such, it would fail to comply with Policies DM7 and DM9 of the Epping Forest District Local Plan 2011–2033 (the Local Plan). These policies seek to ensure that heritage assets, both designated and non-designated, and their settings are preserved in a manner appropriate to their significance, positively relating to their context and drawing on the local character and historic environment. The proposal would also fail to accord with the historic environment objectives set out in the National Planning Policy Framework in this regard.

Other Matters

13. The appellant has asserted that the Council has failed to consider the sustainable transport benefits of the proposal in their consideration of the planning application. However, I note that the same benefits are achieved by the provision of an internal cycle storage area. I therefore attach neutral weight to this matter in my considerations.

Conclusion

14. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, I conclude that the appeal should be dismissed

F P Tinsley

INSPECTOR