



Appeal Decision

Site visit made on 22 August 2018

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2018.

Appeal Ref: APP/J1535/W/18/3195850

Braeside Junior School, 82 Palmerston Road, Buckhurst Hill IG9 5LG

- 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 Matthew Hagger of Oak Tree Group of Schools against the decision of Epping Forest District Council.
 - The application Ref EPF/1064/17, dated 11 April 2017, was refused by notice dated 27 September 2017.
 - The development proposed is new three-storey classroom building and link element with associated alterations, parking and boundary treatments.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of the application the revised National Planning Policy Framework (the revised Framework) was published on 24 July 2018. The main parties have been consulted and provided comments on the revised Framework in relation to this appeal. I have therefore considered the development against the relevant aims and objectives of the revised Framework.

Main Issue

3. The main issue is the effect of the proposed development on the setting of the locally listed buildings at Nos. 70, 72, 74 and 76 Palmerston Road.

Reasons

4. The appeal site comprises of a parking area and play area at the side of No. 82 Palmerston Road, a substantial two storey detached Victorian locally listed school building set back from the road within its own grounds behind a low boundary wall and mature vegetation. It is located in a mature well-established area, with a mix of residential and educational uses.
5. This part of Palmerston Road is characterised by large two storey and three detached and semi-detached properties of varying styles and ages set back from the road behind mature landscaping and trees. Two pairs of semi-detached locally listed Victorian Villas are situated adjacent to the site at Nos. 70 and 72 and Nos. 74 and 76 Palmerston Road that have similar architectural details and appearance. The substantial pairs of Victorian Villas built in yellow brick with large bay and sash windows to the principal elevations and slate pitched roofs with varied gabled roof profiles that provide a similar

symmetry and proportionate that has not been substantially affected by a later two storey side extension at No. 76. The pairs of buildings are of local architectural interest and aesthetic value and their significance can be readily appreciated from both outside as well as within the site. These properties, along with those on Palmerston Road, are predominantly built in brick with pitched tiled roofs. These features give the area a strong unifying character and appearance.

6. Given the location of the appeal site adjacent to the locally listed buildings, Policy H13A of the Epping Forest District Local Plan Alterations 2006 (EFDLPA) states that locally listed buildings will receive special consideration in the exercise of the development control process. This policy is consistent with the aims of paragraph 197 of the revised Framework that requires a balanced approach to assess the effect on the locally listed buildings as non-designated heritage assets.
7. The proposal would involve the construction of a three storey classroom building attached to the side of the existing main school building by a recessed glazed link. The contemporary styled building with open undercroft parking and a flat roof would project across the full width of the site in line with the main front elevation of the existing building and would be set back at a slightly higher level from the adjacent locally listed properties. The front elevation includes large rectangular flat-fronted projecting bays at first floor level and would be set back at roof level from the front elevation of the building. The external finish of the building would be predominantly built in buff brick and render with contrasting steel cladding to the large projecting bay windows at first floor level and the roof top level.
8. Although it would have a comparable height to the adjacent properties, the proposed building would occupy a substantial proportion of the site and would be significantly wider than the adjacent buildings. As such, although it would be set back from the road and at roof level, by virtue of its overall scale and form, it would have a large and bulky appearance in relation to its immediate surroundings. These shortcomings would be exacerbated by the flat and elongated roof design and eaves along the front elevation of the building and the large projecting bay windows and recessed second floor roof level in contrasting materials, which contribute to the overall scale of the building giving it particular prominence in relation to its surroundings.
9. Whilst the contemporary design of the proposed building, making a clear distinction between the original building and the new addition, has some merits, the detailed design and appearance of the appeal scheme would be very much at odds with the older more traditional scale, form and appearance of the adjacent locally listed buildings. Although the proposal would be set back, the proposed building, by virtue of its scale, visual bulk and design, combined with the higher site levels, would fail to achieve an appropriate degree of subordination to the adjacent locally listed properties. In that context the proposal would be unacceptably dominant and out of character, having a direct negative material impact on their setting and, thereby, harming the significance of the adjacent locally listed properties.
10. I have considered the appellant's arguments that the design and layout of the proposed building have been carefully considered in order to provide an innovative design solution to the development of the site that would minimise

any impacts on the adjacent locally listed buildings and the area and to take into account the Council's comments during the pre-planning and planning application process. However, whilst the landscaping and boundary treatment would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.

11. I noted the other developments in the area drawn to my attention by the appellant. The more modern extensions and alterations at the rear of the existing school building on the site have different development characteristics. The modern and flat roofed buildings in the vicinity of the site including the apartments blocks either side of the St. James United Reformed Church on Palmerston Road and the three storey extension at Loyola Preparatory school on the opposite side of the road, relate to a different scale and form of development to the appeal scheme. I therefore accord these limited weight as precedents in this case.
12. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraphs 196 of the revised Framework, that harm should be weighed against any public benefits to the proposal. I note the appellant's aspirations to expand and improve the educational opportunities and facilities at the school to provide a wider and greater number of school places to meet the local community and educational needs. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
13. Consequently, I conclude that the proposed development would have a harmful effect on the setting of the locally listed buildings at Nos. 70, 72, 74 and 76 Palmerston Road. The development conflicts with Policy DBE1(i) of the Epping Forest District Local Plan 1998 and Policy CP2(iv), CP3(v), CP7 and HC13A of the EFDLPA. These policies, amongst other things, seek to ensure that new development safeguards and enhances the setting, character and townscape of the urban environment, respect their setting in terms of scale, siting, massing, height, roof line and detailing; and give special consideration to locally listed buildings. In addition, it would not accord with the aims of the revised Framework that seek to ensure developments secure a high quality of design (paragraph 124); and the desirability of conserving and enhancing the significance of non-designated heritage assets (paragraph 197).

Other Matters

14. I have noted the Council's comments regarding the new requirements, since the original planning application was determined, to assess the potential adverse impacts of new development on the Epping Forest Special Area of Conservation, air quality in the District and any potential mitigations measures in light of the advice from Natural England. However, in light of my findings on the main issue above, it is not considered necessary to look at this matter in detail, given that the proposal is unacceptable for other reasons.
15. I note the appellant's and Council's comments regarding the draft Section 106 Agreement and suggested planning conditions covering a travel plan and the student numbers at the school. However, as the proposal is unacceptable, I have no reason to consider this matter in more detail.
16. I have noted the issues raised by the appellant regarding the extensive discussions with the Council, the revised schemes produced and the way in

which the application was processed by the Council and the Planning Committee. However, the Planning Committee Members are not bound by the officer's recommendations and professional advice, in making their final decision. Whilst I appreciate the appellant's willingness to bring forward a workable solution for the development of the site, these are matters to which I can attach only limited weight in making my decision.

17. I have noted the objections raised by Buckhurst Hill Parish Council, local residents and third parties to the proposal including the issues raised regarding parking and highway safety. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.
18. I have considered the various benefits put forward by the appellant that the development brings in supporting the local community and educational needs. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

19. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR