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## Appeal Decision

Site visit made on 8 December 2015

**by Nick Palmer BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 04/01/2016**

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**Appeal Ref: APP/J1535/W/15/3134305**

**St Elisabeth's Church, Chestnut Avenue, Buckhurst Hill, Essex IG9 6BN**

- 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 D Gascoigne of the Parochial Church Council of the Parish Church of St John against the decision of Epping Forest District Council.
  - The application Ref EPF/0097/15, dated 14 January 2015, was refused by notice dated 3 June 2015.
  - The development proposed is demolition of existing church and hall and erection of 7 new 3 storey flats and 7 new dwellings with associated car parking and small community facility.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by the Parochial Church Council of the Parish Church of St John against Epping Forest District Council. This application is the subject of a separate Decision.

### Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the area including consideration of the demolition of the locally listed St Elisabeth's Church.

### Reasons

4. St Elisabeth's Church is located between Chestnut Avenue and Hornbeam Road close to the junction of those two roads. It is a brick building with gabled roofs and was built in the 1930s at about the same time as the adjacent houses. Those houses are of traditional appearance and mainly terraced but include some semi-detached properties. Between the site and the road junction there is an open landscaped green.
5. The church has been vacant for a number of years. It is included on the Council's List of Buildings of Local Architectural or Historic Interest. Paragraph 6.65b of the Epping Forest Local Plan Alterations (LPA) (2006) states that buildings should be recognisably of their time and either of architectural or historical significance to be included on that List.

6. The overall form of the building and its architectural detailing are recognisably of the 1930s. The domestic scale of its features reflects the scale of the adjacent housing which is of a similar period. Extensions have been added to the building but the integrity of the original design remains intact and recognisable. The building is of historical significance in that it was constructed by the local building company that developed the adjacent estate. It is notable in terms of its social history and reflects the economic success at the time of the builder. For these reasons the building satisfies the criteria for inclusion on the local list under paragraph 6.65b of the LPA in terms of its authenticity and historical significance. The appellant's Heritage Report also confirms this.
7. The appellant says that there are cracks in the building as a result of ground settlement. However no detailed evidence has been provided in this respect. A sketch scheme for conversion of the building into flats has been provided with the appeal but there is no information before me to demonstrate that the conversion of the building would be unviable. The proposal would result in the total loss of the heritage asset to which I give significant weight.
8. There is uncertainty as to whether the Council can demonstrate that it has a five year supply of housing land. The Council indicates that it is currently investigating this. Although the reason for refusal does not concern housing supply policies, the proposal may be of benefit in contributing to housing supply if there is found to be a shortfall. Because the housing supply position is indicated to be uncertain I can only attach limited weight to the potential benefit of the proposal in this respect.
9. The proposal would include a community meeting room which would compensate to some extent for the loss of the church and the adjacent church hall as community facilities. The National Planning Policy Framework<sup>1</sup> (the Framework) encourages the provision of community facilities and this aspect weighs in favour of the proposal. However, the other churches within the parish provide community facilities and no evidence has been submitted in terms of a specifically identified need for the proposed facility. This limits the weight that I can give to this benefit.
10. The appellant says that the proposed development would enable the refurbishment of the other parish church facilities but no evidence in this regard has been provided.
11. For these reasons whilst the proposal may be of benefit in some respects any benefits would be limited on the basis of the information before me. The significant weight I give to the harm that would result from the loss of the heritage asset is not outweighed by the limited weights I give to the identified benefits.
12. The demolition of the locally listed building would not accord with policy HC13A of the LPA which encourages the maintenance of such buildings.
13. The 1930s housing along Chestnut Avenue and Hornbeam Road provide a unified appearance to those roads but there are also modern developments including blocks of flats in the immediate area. Those flats are generally surrounded by open areas. The proposed flats would be built close to the site

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<sup>1</sup> Paragraphs 69 and 70

- boundaries but they would adjoin the open green and for this reason would not have an over-developed appearance.
14. The distances between the rear elevations of the proposed dwellings would be less than those of the dwellings to the north because of the narrowing of the area between the roads. While those distances would be less than those recommended in the Essex Design Guide the reason for refusal does not concern residential amenity. Although closer than the dwellings to the north, reasonable distances would be maintained and this aspect would not be harmful to the character and appearance of the area.
  15. The modern design of the proposed dwellings would contrast with the traditional appearance of the adjacent dwellings but their height and massing would be similar. For the reasons given I consider that the proposed development would accord with policy DBE1 of the Epping Forest Local Plan (LP) (1998) in terms of design.
  16. The church is prominently located adjacent to the road junction and the green. The loss of the building as a non-designated heritage asset would be harmful to the character and appearance of the area given that it makes a significant contribution to the character of the area. The proposal would provide a frontage onto the green but this does not overcome my concern.
  17. The proposal would result in the loss of a protected hornbeam tree but this is in a poor condition and it is proposed to plant a replacement tree within the site. The Council's Trees and Landscape Officer has no objection regarding the effect of the proposal on protected trees and I see no reason to differ.
  18. Although I find that the proposed dwellings would be generally in keeping with the character of the area, for the reasons given the loss of the heritage asset would unacceptably harm the character and appearance of the area. This aspect of the proposal would not accord with policy CP2 (iv) of the LPA which requires the townscape to be safeguarded and enhanced.
  19. Policy CP7 of the LPA seeks to make the fullest use of urban land but also requires that buildings of historic importance are strongly protected. The proposal would not accord with that policy.
  20. I have taken all other matters into account, including the location of the site close to public transport and shopping facilities, the energy efficiency and sustainability measures to be incorporated and the surveillance of the green that would be provided. Those matters do not alter my conclusion.

### **Conclusion**

21. For the reasons given I conclude that the appeal should be dismissed.

*Nick Palmer*

INSPECTOR