
Appeal Decision

Site visit made on 12 June 2017

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 14th June 2017

Appeal Ref: APP/A1530/D/17/3174287

8 Roman Road, Colchester, Essex CO1 1UR

- 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 Bruce O'Brien against the decision of Colchester Borough Council.
 - The application Ref 170260 was refused by notice dated 20 March 2017.
 - The development proposed is to demolish the rear extension. Build two-storey rear extension. Replace entrance door to front. Dilapidated rear extensions to be removed and replaced with a rear extension with a part single-storey element and a two-storey gable end. Replace front entrance door in an Article 4 area.
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Decision

1. The appeal is dismissed insofar as it relates to the demolition of the rear extension and to build a two-storey rear extension. Dilapidated rear extensions to be removed and replaced with a rear extension with a part single storey element and a two storey gable end. The appeal is allowed insofar as it relates to the replacement front entrance door and planning permission is granted for a replacement front entrance door at 8 Roman Road, Colchester, Essex CO1 1UR in accordance with the terms of the application Ref 170260 dated 31 January 2017 and the plans submitted with it insofar as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans on Drawings: 4816.01; 4816.03 A; and 4816.04 A insofar as relevant to that part of the development hereby permitted.

Main issue

2. I consider the main issue to be the effect of the proposal on the character and appearance of the Colchester Number 1 Conservation Area.
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Reasons

3. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties requiring special regard to be had to the desirability: at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.
4. The National Planning Policy Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The appeal property is a Victorian terraced dwelling of traditional design within the Colchester Number 1 Conservation Area. The Conservation Area is a designated heritage asset and is characterised as being the historic town centre. Whilst the use of render is apparent on some properties, many of the dwellings are finished in red and Gault clay brick, originally with subdivided wooden box sash windows and slate roofs. In my opinion, the traditional materials and fenestration proportions make a positive contribution to the character and appearance of the Conservation Area.
6. The proposal includes a part two-storey, part single-storey rear extension which would be visible to a considerable extent from Castle Park to the rear. Although the planning application stipulates that the proposed rear addition would be clad predominantly in Cedar vertical boarding, I note that the appellant has stated that this could be Larch. I have determined the appeal on the basis that there would be wood cladding of either Cedar or Larch. From my observations, the introduction of such wood cladding to this extent would appear as an incongruous addition in this area of predominately traditional red brick and render.
7. The proposal includes a wide window in the rear first floor elevation. From my observations, this proposed window would appear as an alien addition with regard to the traditional proportions of fenestration in such a Victorian dwelling. At first floor level, this large ratio of window to solid walls would unacceptably detract from the traditional proportions of the dwelling and wider terrace.
8. Whilst the introduction of contemporary design in conservation areas may be appropriate in some circumstances, due to the strong characteristic use of traditional materials and traditional fenestration proportions in the surrounding rear garden environment, I consider that the proposed rear extension would appear as an alien feature. This would not preserve the traditional character or appearance of the Conservation Area, but this would be less than substantial harm as set out in the Framework.
9. The proposed rear extension would provide additional living accommodation. This would have only limited wider public benefit. I have attributed considerable importance and weight to the duty and the presumptive desirability of preserving the character and appearance of the Conservation Area, which I do not consider, for the reasons stated above, are outweighed by any benefits of the proposed rear extension. In particular, having regard to the Framework, I find that the harm is not outweighed by any public benefit.
10. In reaching my conclusion on this matter, I have had regard to all matters raised. In particular, I have had regard to the 'Golden Ratio'. I have found that the proposed rear extension would not preserve the character or appearance of the Colchester Number 1 Conservation Area. Thus, the proposed rear extension would be contrary to policy outlined in the Framework;

guidance in the Planning Practice Guidance; Policies DP1 and DP14 in the Colchester Borough Council's Local Development Framework Development Policies (2010 revised 2014); and Policies UR2 and ENV1 in the Colchester Borough Core Strategy (2008 revised 2014), where they seek a high standard of design, for new development to respect and enhance local character and the requirement to preserve or enhance the character or appearance of a conservation area.

11. It must be acknowledged that at the heart of the Framework is the presumption in favour of sustainable development. It sets out the three dimensions that need to be considered, and that the roles should not be taken in isolation.
12. As regards the economic role, some very small benefit would accrue in relation to the construction of the proposed extension. In terms of the social role, the proposal would create a larger dwelling. However, I have found that the proposed rear extension would not preserve the character or appearance of the Conservation Area and thus would not satisfy the social role of providing a high quality built environment. In terms of the environmental role, I acknowledge the small benefits, particularly that the proposal would reduce the use of the car for occupants. However, the proposal would not satisfy the environmental role as it would not protect or enhance the historic built environment. For these reasons, taking the three dimensions together, the proposal would not constitute sustainable development.

Split Decision

13. The proposal includes a replacement front door and fan light of traditional design. From my observations, this would be in keeping with the character and appearance of the existing dwelling and would preserve the character and appearance of the Conservation Area. As this part of the proposal can be undertaken independently from the proposed rear extension, I consider it appropriate to issue a split decision in this respect.
14. The Council has suggested standard time and plans conditions, which I consider reasonable and necessary. The Council's suggested condition regarding materials is not necessary for the proposed front door.

J L Cheesley

INSPECTOR