
Appeal Decision

Site visit made on 5 August 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th August 2020

Appeal Ref: APP/A1530/D/20/3249352

Lower Lufkins, Bargate Lane, Dedham, CO7 6BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Richard Clarke against the decision of Colchester Borough Council.
 - The application Ref 200259, dated 27 January 2020, was refused by notice dated 13 March 2020.
 - The development proposed is the extension will be 6m x 6m on the back of the existing house. This area will be used for a kitchen.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have also dealt with another appeal (APP/A1530/D/20/3255154) on this site. That appeal is the subject of a separate decision.

Main Issue

3. Whether or not the proposed extension is permitted under the above Order.

Reasons

4. Development is not permitted by Schedule 2, Part 1, Class A of the above Order if the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principal elevation of the original dwellinghouse. This restriction means that any development to enlarge a house that is in front of a principal elevation will require an application for planning permission.
5. The Permitted development rights for Householders Technical Guidance (September 2019) (the Guidance), which has been referred to by both parties, sets out that in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house. It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.
6. It goes on to consider that there will only be one principal elevation on a house. Where there are two elevations which may have the character of a

- principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation.
7. The appeal site comprises a detached house with an unusual two storey design to the front with a diamond shaped feature and brick detailing. The dwelling is positioned between Bargate Lane and open fields. At the time of my visit an extension was being constructed on the elevation facing Bargate Lane and an extension had been partially constructed on the North elevation.
 8. I observed at the site visit and the submitted plans show that the North elevation, considered by the appellant to be the principle elevation, contains a door and originally had a lean-to extension with a door with letterbox shown on the submitted photographs. The floor plans indicate that this door provided access into kitchen.
 9. I have considered the elevation facing Bargate Lane, while fronting on to the main highway is often indicative of the principal elevation, in this instance the elevation lacks any substantive architectural features that would indicate a principal elevation, including an entrance doorway.
 10. On the elevation facing the field the evidence shows that there was a glazed lean-to leading to an entrance door. At the time of visit this had been removed and the entrance door was clearly visible. This opening had a number of architectural features including a narrow canopy over the door. This door provides the entrance into the hallway with the stairs leading directly up to the first floor. This traditional layout is indicative that the door, despite facing the open fields, would have been the original principal entrance to the dwelling. Albeit that the alternative entrance into the kitchen was favoured for convenience and therefore over time a porch was added.
 11. For these reasons, I consider that the elevation facing the field is the principal elevation of the original dwelling house and I therefore conclude that the proposed extension is not permitted under the above Order. As the proposal does not constitute permitted development I have no need to consider the amenity of the neighbours or to consider planning policy.

Conclusion

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

G. Pannell

INSPECTOR