The Planning Inspectorate

Appeal Decision

Site visit made on 22 November 2022

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 13 December 2022

Appeal Ref: APP/W1525/D/22/3298603
The Red House, Cooksmill Green, Highwood, Chelmsford CM1 3SJ

- 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 Dr and Mrs T Robson against the decision of Chelmsford City Council.
- The application Ref 21/02531/FUL, dated 21 December 2021, was refused by notice dated 16 February 2022.
- The development proposed is two storey side extension, single storey rear extension and associated alterations.

Decision

1. The appeal is allowed and planning permission is granted for two storey side extension, single storey rear extension and associated alterations at The Red House, Cooksmill Green, Highwood Chelmsford CM1 3SJ in accordance with the terms of the application, Ref 21/02531/FUL, dated 21 December 2021, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the retained parts of the existing dwelling at The Red House.

   3) The development hereby permitted shall be carried out in accordance with the following approved plans.

Title	Drawing No
SITE LOCATION PLAN	Not applicable
BLOCK PLAN	Not applicable
Planning Drawing – Proposed Ground Floor Plan	PS3301.1
Planning Drawing – Proposed First Floor Plan	PS3301.2
Planning Drawing – Existing and Proposed Elevations	PS3301.3
Planning Drawing - existing plans	PS3301.4
Drawing of proposed side elevation with heights	PS3301.5

Preliminary Matters

2. There is no dispute between the parties that the site lies within the Metropolitan Green Belt. The Council have concluded that, as the proposal would replace an existing large extension the development would not result in a disproportionate addition over and above the original building. I see no reason to disagree with this and so I have considered this appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

4. The appeal site is set back off a narrow rural lane bounded by hedges and lies in an area of sporadic development. Dwellings are of a mix of designs and styles, generally set back off the lane within substantial plots. The overall character and appearance of the area is of a rural locality with sparse development of varying design.

5. The Red House is a red brick, detached house of nineteenth century origins. The principal axis of the dwelling runs roughly perpendicular to the lane. The dwelling has, over time, been altered and extended to a point where the historic significance of the building has been undermined. However the property retains some visually attractive features, including prominent window bays containing an arched brick feature above the windows and stone sills below, and a slightly projecting brick work feature running above the ground floor windows.

6. At some time in the past two storey and single storey side extensions have been added. The two storey element has its eaves set marginally below the roof of the main dwelling and a red tile-hung face at first floor. The extensions exhibit a variety of glazing patterns within the fenestration. A modest two-storey flat roofed extension has been built to the rear. This has a rendered finish.

7. The appeal site is bounded by dense planting and there are very limited views into and out of the site.

8. The overall character and appearance of the dwelling is that of a secluded original building to which later additions have been made that are visually at odds with it in terms of form, detailing and materials.

9. Policy DM23 of the Chelmsford Local Plan 2013-2036 (2020) – the Local Plan - is separated into two parts. Part A seeks to ensure that new development respects the character and appearance of the area in which it is located, requiring development to be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape.

10. Part B of the Policy seeks to ensure that, amongst other things, new extensions and alterations to existing buildings are of a high quality design; are compatible with the character and appearance of the area, and also where relevant the host building, in terms of their form, massing and detailing; are well-proportioned and have visually-coherent elevations.

11. The proposal would replace the earlier extensions with a new two storey side extension and a single storey rear extension. The ridge on the main part of the roof above the proposed works would be stepped. This would result in the part of the proposal next to the main dwelling joining seamlessly, whilst the farther part would have a degree of subservience. Eaves levels on the pitched main roof would remain constant throughout.

12. On the proposed front elevation the size and proportion of window openings to wall would appear in contrast with the retained part of the house. The subservient form of the end part of the proposed extension features a single storey projection forward of the main façade. The eaves of this projection would be at a lower level than the front porch and conjoined bay window. The lean to roof on the older porch and the proposed projection would have dissimilar pitches. Similarly the roof pitch of the subservient part of the extension would be different from that of the main roof.

13. The greater articulation of the retained front façade and the façade of the subservient part of the proposed extension, together with the greater ratios of openings to solid, would contrast with the relatively simple design of the central section.

14. The alignment of the front façade diverges from that of the access. This means that there would only be very limited views of it from the public realm and so the effects of the design would only be readily apparent from within the site. There would, however, be an overall lack of coherence, to a degree, on the front facade. Other elements of the proposal would be largely on the far side of the house from the lane and, therefore, unobtrusive.

15. The Council acknowledge that the form and detailing of the existing side extensions relate poorly to the original dwelling. I have found that elements of the proposed development would also be of a design that is out of keeping, with the original dwelling.

16. Decisions regarding aesthetics should be based on professional judgement, rather than personal taste and, whilst the main parties dispute the merits of the case, I have determined it on the basis of the respective evidence presented to me. Whilst no harm has been identified by the Council in the approach to the design of the rear façade, and I have no reason to disagree with that, I have identified a degree of harm to the character of the dwelling in the effect of certain elements of the design. The vantages from which this harm would be apparent are, however, limited to certain areas within the site.

17. I therefore conclude that, whilst the proposal would result in harm to the character and appearance of the building itself, there would be no harm to the character and appearance of the surrounding area. The harm to the building would be limited and would not be apparent to the public. Taken as a whole I conclude that the proposal would be in overall compliance with the aims of Policy DM23 of the Local Plan.

18. For similar reasons the proposal would be in overall compliance with the aims of Section 12 of the National Planning Policy Framework, which seeks to achieve well-designed places and with which Policy DM23 of the Local Plan closely accords.

Conditions

19. I have had regard to the planning conditions suggested by the Council.

20. In addition to the standard condition stipulating time limits I have placed a condition upon the development requiring that it be built in accordance with the approved plans, together with a condition requiring the proposed external materials to be used to match those of the existing host dwelling. These are necessary for the avoidance of doubt, in the interest of certainty and to ensure that the development will be appropriate to the character of the area.

21. These conditions correspond to conditions suggested by the Council. However, I have amended the wording for clarity.

Conclusion

22. For the reasons given I conclude that the appeal should succeed.

I A Dyer

INSPECTOR