



Appeal Decisions

Site visit made on 12 December 2022

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 December 2022

Appeal A Ref: APP/A1530/W/22/3298042

Wellmans, Lamberts Lane, Great Tey CO6 1AP

- 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 & Mrs Hannah against the decision of Colchester Borough Council.
 - The application Ref 213466, dated 17 December 2021, was refused by notice dated 9 February 2022.
 - The development proposed is single storey rear extension to existing garden room.
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Appeal B Ref: APP/A1530/Y/22/3298043

Wellmans, Lamberts Lane, Great Tey CO6 1AP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Hannah against the decision of Colchester Borough Council.
 - The application Ref 213467, dated 17 December 2021, was refused by notice dated 9 February 2022.
 - The works proposed are the same as Appeal A.
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Decision Appeal A

1. The appeal is allowed and planning permission is granted for a single storey rear extension to existing garden room at Wellmans, Lamberts Lane, Great Tey CO6 1AP in accordance with the terms of the application Ref 213466, dated 17 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21-092-AS-1, 21-092-AS-2, and 21-092-AS-3.

Decision Appeal B

2. The appeal is allowed and listed building consent is granted for a single storey rear extension to existing garden room at Wellmans, Lamberts Lane, Great Tey CO6 1AP in accordance with the terms of the application Ref 213467, dated 17 December 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) No external facing or roofing materials shall be used in the construction of the works hereby permitted until precise details of the manufacturer,

types and colours of these have been submitted to and approved in writing by the local planning authority. Such materials as approved shall be those used in the works.

- 3) Prior to the commencement of any works, full details of all new brickwork, including the bond, mortar mix and joint profile shall be submitted to and agreed in writing by the local planning authority. The works shall be constructed in accordance with the agreed details.
- 4) Prior to the commencement of any works, additional drawings that show details of any proposed new windows, doors, eaves, verges, cills and arches to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate, shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the approved additional drawings.
- 5) All external joinery shall be of painted timber, unless otherwise agreed in writing by the local planning authority.

Preliminary Matters

3. Since the decisions were made on the original applications, the Council has adopted the Colchester Borough Local Plan 2017-2033 Section 2 (CBLP). This has superseded policies in the Core Strategy and Development Policies documents. I have thus had regard to the relevant CBLP policies highlighted by the parties.
4. A plan showing the existing and proposed roof (ref 21-092-AS-3) was submitted at the appeal stage. This plan clarifies the roof arrangements and would not prejudice any interested party. Therefore, I have accepted this plan.

Main Issue

5. The main issue for both appeals is the effect of the proposal on the special interest and significance of the Grade II listed building at Wellmans.

Reasons

6. The property known as Wellmans includes a timber framed range dating from around 1700 and earlier. This historic range is single storey with a steep pitched roof that contains attic space and catslide dormer windows on the north and south elevations. The external walls at ground floor are rendered with the principal south elevation containing a number of windows and a door. The north elevation at ground floor has no openings. Internally, there are a number of exposed timbers that, along with documentary evidence, indicate the property is older than 1700.
7. The property has been extended including a north range built approximately 20 years ago at a slight angle to the historic range. It has similar proportions to the historic range but is around half the footprint. Between the two ranges is a modern two-storey link and a small single storey glazed garden room. The garden room looks onto the north elevation of the historic range and a courtyard heavily enclosed by planting.
8. The special interest and significance of the listed building encompasses the architectural and historic qualities of the historic range that potentially dates back to the 16th century. The modern extensions are well-proportioned and

located to complement the historic range. It is possible to distinguish the older and newer parts of the property.

9. The proposal comprises a replacement garden room that would extend beyond the end of the north range and along most of the external ground floor wall on the north elevation of the historic range. However, it would be modest in height and largely constructed from timber and glazing with traditional materials and detailing. The north elevation wall of the historic range would become an internal wall and thus still visible within and outside the proposed extension. While the proposed roof would not be as tall or as steep as the two ranges, this would ensure that its eaves would not interfere with the eaves or roof of the historic range.
10. The extension would be at an angle to the north range but only marginally. In contrast, it would be parallel to the historic range and set back from the end of the north elevation. As a consequence, it would not appear awkward or incongruous but instead would be a subservient and sympathetic addition to the property. It would remain possible to discern clearly the old from the new. Thus, the extension would represent an enhancement to the listed building.
11. In conclusion, the proposal in both appeals would preserve the special interest of the listed building at Wellmans and not cause any harm to its significance. Therefore, it would accord with CBLP Policies ENV1, DM13, DM15 and DM16. Amongst other things, these policies seek to conserve and enhance the historic environment with development that respects and enhances the character of the site through its design, and with extensions that are compatible with the scale, appearance and character of the original dwelling taking into account cumulative impact and the need to be subordinate.
12. The proposal would accord with Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where special regard and attention shall be paid to preserving listed buildings. It would also follow the guidance within Section 16 of the National Planning Policy Framework which seeks to sustain the significance of heritage assets.

Conditions

13. In addition to the standard time limit conditions for both appeals, I have specified the approved plans in Appeal A for clarity and compliance. Conditions 2 to 5 for Appeal B are necessary to ensure that the extension has an acceptable effect on the listed building. I have not applied the Council's suggested condition on external cladding as Condition 2 already deals with external facing materials.

Conclusion

14. For the above reasons, I conclude that both appeals should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR