
Appeal Decision

Site visit made on 20 December 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2023

Appeal Ref: APP/Z1510/D/22/3308427

Hope Villa, 9 Albert Place, Coggeshall CO6 1TZ

- 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 Siobhan Morrison against the decision of Braintree District Council.
 - The application Ref 21/02851/HH, dated 15 September 2021, was refused by notice dated 15 July 2022.
 - The development proposed is extensions and alterations.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations at Hope Villa, 9 Albert Place, Coggeshall CO6 1TZ. The permission is granted in accordance with the terms of the application Ref 21/02851/HH, dated 15 September 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 development hereby permitted shall be carried out in accordance with the following approved plans: 13012 01 Revision A (location plan), 13012 06 Revision I (ground floor plans), 13012 07 Revision I (first floor and roof plans), 13012 08.1 Revision H (elevations), 13012 09.1 Revision J (elevations and sections), 13012 10 Revision E (garage) and 13012 11.1 Revision D (site plan).
 - 3) The materials to be used in the construction of the external surfaces of the extensions and alterations hereby permitted shall match those used in the existing building, unless shown otherwise on the approved plans.

Preliminary Matters

2. The proposal involves a single storey rear extension, provision of basement lightwell, erection of a single storey detached garage and various external alterations.
 3. The draft Section 2 Local Plan referred to in the decision notice subsequently was adopted in July 2022. The new plan supersedes the Local Plan Review 2005, policies from which are relied upon in this case. Accordingly, I have only had regard to the relevant policies from the Braintree District Local Plan 2013-
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2033 (2022) in determining this appeal. I note also that the numbering of the relevant policies has altered from the draft version.

Main Issue

4. The main issue is whether the proposed extensions and alterations would preserve or enhance the character or appearance of the Coggeshall Conservation Area, in which the appeal property is located.

Reasons

5. The conservation area encompasses Coggeshall's historic core to the north and the largely undeveloped flood plain of the River Blackwater to the south. Albert Place is a narrow road running off Church Street, a principal road in the historic centre of the settlement. While Church Street includes historic timber framed buildings providing a continuous frontage to the road, Albert Place has a less regular layout of buildings behind this frontage, with boundary walls and fences prominent within the street scene. The pair of semi-detached Victorian dwellings, Nos 7 and 9, are the most prominent buildings with frontages on the main part of Albert Place.
6. Despite the appeal property showing some signs of disrepair compared to No 7, the largely unaltered built form and uniformity of the traditional brick-built dwellings make a positive contribution to the conservation area. This uniformity is most apparent to the front of the paired dwellings, particularly due to the matching fenestration and canopy extending across the whole frontage. However, No 7 has a recent single storey extension to the side and rear. Moreover, there are other examples of extensions to the dwellings forming the short terrace off the main part of Albert Place, facing the side boundary of the appeal property. As such, I note that the Council does not object to the principle of the proposed extension.
7. The principal changes resulting from the proposal would be to the rear with a single storey extension and new boundary wall that would also form the side elevation of the infill extension. The zinc finish to the roof of the extension would be apparent above the new wall, but its limited extent in this regard would not detract from the predominant views of the original two storey side elevation of the dwelling and its offshoot at the rear. The most prominent element, therefore, would be the new wall.
8. The boundary is currently enclosed by a relatively tall close-boarded fence with trellising at the top. Due to its overall length and position directly on the boundary this is not an insignificant feature within the street scene. The new wall would be set back from the position of the fence on the line of an earlier boundary wall, with the remaining strip of land outside the wall enclosed by low level iron railings.
9. As already noted, boundary walls and fencing are a characteristic feature of Albert Place and, therefore, the wall would not appear incongruous in this regard. While it would be angled away from the side building line of the main part of the dwelling, it would be set further away from the boundary than the existing fence. This positioning together with use of materials matching the original building, would mean that the wall would be seen as a proportionate and characteristic feature in the street scene. Compared to the existing fence

and in its own right, its appearance and position would not result in it being a dominant or otherwise incongruous feature seen from the terraced dwellings opposite. Moreover, the limited degree of offset from the side building line would not result in the wall being a prominent feature in views to the front of the dwelling. Consequently, these changes to the rear would preserve the character and appearance of the conservation area.

10. The appeal building includes two chimneys, the larger one of which to the rear is to be removed and not replaced. The appellant provides evidence that the chimney is structurally unsound and that internal alterations will exacerbate this. I accept, therefore, that justification is provided for removal of the chimney and it is not of sufficient significance in terms of the overall built form that its loss would result in harm to the appeal property.
11. The other chimney to the side of the property is to be replaced with a chimney of a different design. I note that the chimney in the same position at No 7 apparently has been replaced with a modern flue. As such, there is no uniformity of appearance between the two dwellings and replacement of the chimney with one of an appropriate period design would not result in any harmful effects.
12. The canopy to the front is to remain unaltered and, therefore, the Council's concerns are overcome in this regard. I agree with the Council that the replacement garage would be proportionate and of appropriate appearance in this setting. The other external alterations to the appeal property, subject to use of appropriate materials, will enhance the appearance of No 9 given the signs of disrepair noted earlier.
13. Therefore, for the above reasons, I conclude that the proposed extensions and alterations would preserve or enhance the character and appearance of the Coggeshall Conservation Area. Consequently, there is no conflict with the following policies from the Braintree District Local Plan 2013-2033: LPP36 concerning alterations and extensions, LPP47 concerning the built and historic environment, LPP52 concerning design and layout, and LPP53 concerning conservation areas, all of which policies include the requirement for development to preserve the historic environment, including conservation areas. There is also no conflict with section 16 of the National Planning Policy Framework, concerning the historic environment.
14. In reaching this conclusion I am mindful of the statutory requirement that in exercising planning functions in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area¹. I have also had regard to representations made by interested parties, which raise matters related to the main issue. As such, these do not lead me to reach a different overall conclusion.

Conclusion and Conditions

15. I have found in the appellant's favour with regard to the main issue and, therefore, for the reasons given the appeal should succeed.

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

16. Of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring external materials to match the existing building, unless shown otherwise on the approved plans, is necessary in the interests of preserving the character and appearance of the conservation area.

J Bell-Williamson

INSPECTOR