
Appeal Decision

Site visit made on 27 February 2023

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2023

Appeal Ref: APP/P1560/D/22/3297241

Boughton, First Avenue, Frinton on Sea CO13 9EY

- 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 and Mrs Morgan against the decision of Tendring District Council.
 - The application Ref 21/01753/HH, dated 11 October 2021, was refused by notice dated 7 February 2022.
 - The development proposed is alterations and additions to the dwelling house.
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Decision

1. The appeal is allowed and planning permission is granted for alterations and additions to the dwelling house in accordance with the terms of the application Ref 21/01753/HH, dated 11 October 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: Site Location Plan, Block/Site Plan (but omitting a side porch shown on that plan), MFA-01 and MFA-02D.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building except as otherwise specified on the application form.

Main issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the building and the Frinton and Walton Conservation Area.

Reasons

3. Boughton is a detached house sitting on a large plot in a prominent position on the outside of a 90 degree bend, within the conservation area. The houses at this northern end of First Avenue and the adjacent section of Ashlyn's Road are characterised by elements of Arts and Craft design, including gables and dormer windows, and often have complex rooflines. Boughton is typical in

some respects, but does have a notably simpler roofline than many of its neighbours. The proposal is to extend over a single storey end section, adding a gable and a small dormer window at the front.

4. In making this decision, I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. This is reflected in the National Planning Policy Framework's (the Framework's), statement that great weight should be given to the conservation of heritage assets.
5. Broughton's heritage significance stems from its contribution to the well-mannered and varied architecture of this part of First Avenue. The proposed extension has been designed to fit in with that style. The front gable and dormer window would be modest in scale and appropriate in detailing. Rather than unbalancing the frontage as suggested by the Council, they would effectively complete it by building over the somewhat awkward looking single storey section. The house's roofline would still be relatively simple, but with some variation to add interest and prevent it from becoming uncharacteristically monolithic. To the side, the new gable would also be in scale and character with the rest of the house. The plot would remain spacious and existing trees and hedges would not need to be removed to facilitate the development.
6. I note that the local Parish Council raises no objection. I conclude that the proposal would preserve and enhance the character and the appearance of the building and the conservation area. It therefore accords with the shared aims of Tendring District Local Plan 2013-2033 and Beyond (LP) Section 1 policy SP7, LP Section 2 policies SPL3 and PPL8 and the Framework, to secure high standards of urban and architectural design that respond to local context and preserve or enhance the special character and appearance of conservation areas. The Council also refers to LP Section 2 policy LP4 (Housing Layout), but that policy deals with new residential and mixed use developments so does not appear to be directly relevant here.
7. I impose a condition specifying the relevant plans to provide certainty, clarifying the omission of a porch which does not appear on drawing MFA-02D. A further condition requiring the use of matching materials is necessary in order to protect the character and appearance of the house and the conservation area.
8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR