

Appeal Decision

Site visit made on 21 September 2023

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th October 2023

Appeal Ref: APP/W1525/D/23/3324475

14 Ongar Road, Writtle, Chelmsford, Essex CM1 3NU

- 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 Robert Moore against the decision of Chelmsford City Council.
 - The application Ref 23/00158/FUL, dated 8 February 2023, was refused by notice dated 25 May 2023.
 - The development proposed is demolition of existing garage. Proposed side extension with front and rear dormer windows, new parking spaces and alterations to fenestration.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant indicates that the original description of development has changed. Therefore, the above description reflects the amended description shown on the appeal form.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal property is a two storey detached mid Victorian dwelling located in a predominantly residential setting. No 14 is included on the Writtle Local Register of Buildings of Local Value as a good example of a Victorian double frontage house and, as such, it is a non-designated heritage asset. There is a mix of property types and ages within the street scene, in which the appeal property is prominent as an attractive building reflecting its locally registered status.
5. Reference is made to a previous unsuccessful application for a similar form of development to the current proposal¹. While I note this earlier application and decision, this appeal involves a separate proposal which I have considered on its own merits.

¹ Ref 22/01920/FUL.

6. Policy DM14 of the Chelmsford Local Plan (2020) says that proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Policy DM23 of the Local Plan requires that development, including extensions, should be of high quality design and compatible with the character and appearance of the area and the host building.
7. Some alterations to the appeal property have been made, most noticeably the replacement windows, painted brickwork and limited extensions to the front and rear. Nonetheless, it largely retains its original built form, which is particularly apparent from the symmetrical frontage with matching chimneys to each gable; as well as the parallel pitched roof forms which have a narrow span, with a gully between them and a distinctive west elevation with twin gables. This twin gable feature is particularly apparent in the street scene approaching from the west due to No 14's position forward of the building line of the three more recent detached dwellings next to it and despite the silver birch tree in No 14A's front garden.
8. Seen from in front of the appeal property, the proposed side extension would be proportionate to the host dwelling in terms of its height and width, and would employ matching materials and fenestration. The front dormer is a feature seen elsewhere in the surrounding area and, therefore, would not be uncharacteristic or of a disproportionate size to the extension's front roof slope. The roof slope itself would, however, despite the dormer, appear substantially larger and more prominent than that of the host dwelling.
9. The most significant change, however, would be to the west elevation where the ridge of the side extension would protrude above the gully between the existing pitched roofs and the dormers, particularly the front one, would be seen in profile. As such, the extent and form of the side extension would result in a substantively more complex and incongruous roof form that would obscure and detract from the original simpler form of the twin gables. I note in this regard that Policy DM23 requires development, including extensions, to result in buildings with visually coherent elevations, which would not be the case as a result of the appeal proposal. Moreover, while less visible, the paired dormers to the rear would appear cramped and a form of overdevelopment on the rear roof slope.
10. The appellant contends that a full-depth, single storey extension could be built as permitted development and, therefore, this constitutes a 'fallback' to the appeal proposal. The Council considers that this is unlikely to be a practical solution to the main objective of the proposal, which is to provide additional bedroom space. However, I accept the appellant's clearly stated assertion that the fallback would be built in the event of the appeal's failure. Indeed, at the time of the inspection ground clearance for foundations to the side of the property was underway.
11. The fallback would be slightly deeper than the appeal proposal with a shallower pitched roof that would not reflect the pitch of the existing roof forms. However, due to its lower height it would not obscure the roof profile of the west elevation and would not include the two rear dormers. Moreover, from the front of the property the limited extent of the extension's roof slope would be subordinate to and more in keeping with that of the host dwelling compared

to the appeal proposal. As such, it would be a simpler built form that would be less incongruous than the appeal proposal and so less harmful to the original built form of the appeal property.

12. Therefore, taking these findings as a whole, the appeal proposal would result in material harm to a non-designated heritage asset of significance within the street scene and wider area. In this regard, based on a balanced judgement of the harm and the significance of the asset, in accordance with the requirements of Policy DM14 of the Local Plan and the National Planning Policy Framework (the Framework)², the level of harm is not justified.
13. Accordingly, for the above reasons, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the host dwelling and the surrounding area. Consequently, it is contrary to Policies DM14 and DM23 of the Chelmsford Local Plan (2020), as described above. It is also contrary to the Framework, which advocates good design, and with regard to the effect of development on a non-designated heritage asset.

Other Matters

14. I have had regard to the representations made by interested parties. These do not, however, raise any additional matters in relation to the main issue in this appeal that would lead me to reach a different overall conclusion.

Conclusion

15. For the reasons given it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR

² Paragraph 203.