



Appeal Decision

Site visit made on 12 March 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10.04.2024

Appeal Ref: APP/A1530/D/23/3327473

60 Firs Chase, West Mersea, Essex CO5 8NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Toby and Michelle Eaton against the decision of Colchester Borough Council.
 - The application Ref is 230768.
 - The development proposed is: Demolition of existing conservatory and existing single storey projections. Construction of new single storey front extension, two storey rear extension, replacement external cladding and windows.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2023, during the course of this appeal. However, insofar as the contents are relevant to this appeal, the Framework has not changed. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to comment on the revised Framework.
3. The appellant's statement refers to revised designs, with illustrations, that are materially different from the proposal on the plans submitted with the planning application. The 'Procedural Guide: Planning appeals – England' states the appeal process should not be used to evolve a scheme. To accept the revised designs could lead to injustice because all parties would not have had the opportunity to comment on them. Therefore, I have based my decision on the proposal as set out in the application that was before the Council and upon which notification took place.

Main Issue

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

Reasons

5. 60 Firs Chase is a two-storey semi-detached cottage of traditional, half-timbered appearance, with a simple rectangular plan and modest single-storey additions to front and back. The Council identifies the cottage as a non-designated heritage asset (NDHA) because, with its attached partner No 58, it dates back to the nineteenth century when West Mersea was a much smaller settlement. The significance of the cottage as a NDHA is therefore historic because it represents a link to the area's past; and architectural in that

features such as its form and visible timber frame are integral to the original design and appearance of the building.

6. The area surrounding the appeal site is largely residential, comprising a mix of dwellings in a variety of styles, including older cottages and more recent detached houses of both modern and traditional appearance. Although the area is greatly changed since the nineteenth century, the remaining older buildings – including 60 Firs Chase – provide a clear and visible link to the past, which contributes to the area's distinctive character.
7. The proposed front extension would introduce a large, flat-roofed structure with contemporary design features such as wide, full-height windows, a fully glazed door and a covered veranda. It would obscure the half-timbered ground floor of the cottage's front façade, and its contemporary appearance would detract from the remainder of the cottage's original features. In addition, the depth of this extension would be much greater than that of the original depth of the cottage, resulting in an incongruously large addition to the front façade. This detrimental change would be visible from the street, notwithstanding the deep set-back of the building.
8. The substantial two storey rear extension would further dominate the modest frame of the cottage, almost completely concealing its timbered rear façade and introducing an extensive side elevation. As at the front, the contemporary glazing would have a jarring effect on the traditional appearance of the home. Together, these factors would materially harm views of the cottage from the rear garden and the nearby cul-de-sac, eroding appreciation of the building's original scale and design and its relationship with No 58.
9. The combined extent of the two additions would greatly exceed the scale of No 60, even in its more recent extended form. This, along with the discordant design, would overwhelm the cottage's appearance and eclipse its character, thereby causing considerable harm to both its architectural and historic significance as a NDHA. This would in turn harm the character and appearance of the area surrounding the appeal site, eroding the distinctive mix of old and new and undermining part of the physical connection to the area's past.
10. I have considered the argument that the proposed development would safeguard the integrity of the cottage's core structure, which is in poor condition; and that it would improve the energy efficiency of the building. Such restoration, if sensitively undertaken, would benefit the historic interior of the building. However, this would come at the expense of its external character and appearance, which are integral to the cottage's historic and architectural significance as a NDHA. Improved energy efficiency would be a requirement of other regulatory regimes. Moreover, there is no pertinent evidence before me to demonstrate that the appeal scheme would be the only way to achieve these outcomes. Therefore, these benefits would not outweigh the considerable harms I have found, including to the significance of the building as a NDHA.
11. I recognise the additions to No 58 are larger than those currently at No 60. Be that as it may, they are of a different form to, and smaller than, those proposed in this appeal. In any event, the fact that apparently similar development has been granted permission next door is not a reason, on its own, to allow unacceptable development.

12. The appellants have drawn my attention to several other large and/or contemporary extensions to homes near the appeal site. On the evidence before me, the host dwellings in those cases were of a very different original form and style to 60 Firs Chase. None of them appears to have been a modest nineteenth century cottage. Each application and appeal must be determined on its individual merits and, even if the proposed extensions would result in a house comparable in size to others in the neighbourhood, this does not in itself justify the development. Moreover, whilst I acknowledge the variety of architectural styles is a distinctive feature of the area, the erosion of No 60's character would detract from rather than enhance this attribute for the reasons given.
13. I acknowledge the experience of the architects for the scheme, but this does not outweigh the harm I have identified from the specific scheme design.
14. For the above reasons, I conclude the proposed development would have a harmful effect on the character and appearance of the host dwelling and the surrounding area. This is contrary to Policy SP7 of the Colchester Borough Local Plan (CBLP) North Essex Authorities' Shared Strategic Section 1 2021 and Policies DM13 and DM15 of the CBLP Section 2 2022. Together, these Policies seek high quality design that responds positively to its context and local character; and require residential alterations and extensions to be compatible with the scale, appearance and character of the original dwelling and subordinate to it in terms of design and setting.
15. It is also contrary to the Framework, which requires high quality design that is sympathetic to local character and the surrounding building environment; and a balanced judgement having regard to the scale of any harm to the significance of a non-designated heritage asset.

Other Matters

16. I note the reasons why the appellants want to improve their living space, but little weight can be attached to such personal circumstances.
17. The general reference to government encouragement for extensions to existing buildings is not supported by specific evidence, so has had little bearing on my decision.

Conclusion

18. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR