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## Appeal Decision

Site visit made on 28 October 2024

**by A Hartley, LLB(Hons), Solicitor, MBA**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 November 2024**

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**Appeal Ref: APP/P1560/D/24/3345888**

**Willow Green Cottage, Colchester Road, Thorpe le Soken, Clacton on Sea, Essex CO16 0AB**

- 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 Steve Hewett against the decision of Tendring District Council.
  - The application Ref is 24/00120/FULHH.
  - The proposed development is for the erection of a single storey extension.
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### Decision

1. The appeal is dismissed.

### Preliminary Issues

2. The appeal site is in close proximity to two Grade II listed buildings, "Millington House" and "Thorpe Green House". Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act) requires special regard to be had to the desirability of preserving the setting of listed buildings.
3. At the site visit I noted that an extension was already under construction.

### Main Issue

4. The effect of the proposal on the character and appearance of the host dwelling and the surrounding area.

### Reasons

#### *Character and Appearance*

5. The appeal property is a large detached dwelling, that has been previously extended. The host dwelling and approved extensions currently maintain a pitched roofscape. The dwelling is situated within extensive grounds surrounded by mature trees. Adjacent is an open grassed area that has the appearance of a village green. The dwellings either side of the appeal site are Grade II listed buildings set within their own generous grounds, similarly surrounded by mature trees and hedging. The character of the surrounding area, with its substantial houses in large grounds, grassed areas and mature trees creates a sense of openness.

6. The appeal proposal would introduce an extension larger in scale and differing in design to that already approved under planning permission reference 21/00785/FUL (extant permission). The footprint of the proposed building would not exceed that already approved under the extant permission. However, due to the increase in eaves height, flat roof, and blank front façade, I find that the appeal proposal would not appear as a subordinate addition and would be incongruous in design to the host dwelling. The window detailing to the front of the covered walkway is also disproportionate when viewed with the window design of the host dwelling.
7. The site is some distance from public vantage points, and screened to an extent by mature trees and planting. However, the proposal would still be visible within the streetscene, and would be more so when the trees are not in leaf. Even with the use of weatherboarding to accent the materials of an adjacent listed building, the mass of built development with a flat roof design and blank front façade would not be in keeping with the character of the surrounding area.
8. Due to its scale, height and bulk the appeal proposal would harm the character of the host dwelling and would not respond positively to the local character and context, failing to preserve and enhance the quality of the surrounding area. Consequently, on this issue I find that the appeal proposal would conflict with policy SP7 (Section 1) (2021) and policy SPL3 (Section 2) (2022) of the Tendring District Local Plan 2013-2033 (LP), because the extension fails to exhibit architectural quality and has not been well designed.
9. The appeal proposal would also conflict with paragraph 135 of the National Planning Policy Framework (the Framework) due to its detrimental impact on the character of the surrounding built development.

### **Other Matter**

10. The appeal proposal would be in close proximity to two Grade II listed buildings. I have therefore given special regard to the desirability of preserving their setting. Both listed buildings are set within large grounds surrounded by mature trees. An element of the appeal proposal would be visible from the grounds of Thorpe Green House, above a hedge line and through trees. Despite this, due to the distance from both listed buildings, the impact of the single storey extension on their significance is assessed as neutral. On this issue, I find there to be no harm to the significance of the listed buildings and accordingly the proposal does not conflict with policy PPL9 of the LP.

### **Conclusion**

11. For the above reasons the proposal conflicts with the development plan taken as a whole and with the provisions of the Framework. There are no material considerations that would justify a decision other than one in accordance with the development plan. Accordingly, the appeal should be dismissed.

*A Hartley*

INSPECTOR