



Appeal Decision

Site visit made on 26 August 2025

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 September 2025

Appeal Ref: APP/A1530/D/25/3361635
19 Dragoon Road, Colchester CO2 7FU

- 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 & Mrs P Bagguley against the decision of Colchester City Council.
 - The application Ref is 241833.
 - The development proposed is single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed extension would preserve or enhance the character or appearance of the Abbey Field Conservation Area and related to this the effect of the proposal on the setting of the adjacent former barracks building, which is locally listed.

Reasons

3. The Abbey Field Conservation Area covers the former Colchester Garrison as well as the open space known as Abbey Field. The appeal property was built as part of the Garrison Urban Village, involving the redevelopment of the historic barracks as a mixed-use urban community. Some of the older barrack buildings were retained in the redevelopment, including a former straw and hay store directly adjacent to the appeal property, and stables and troop accommodation opposite. As locally listed buildings these are non-designated heritage assets. Despite the current state of disrepair, these are distinctive and prominent buildings that make a positive contribution to the conservation area, due to their historic association with the former barracks.
4. As a modern dwelling the appeal property does not have any inherent historic or architectural interest, but it is within the conservation area and within the setting of the locally listed buildings. Consequently, in considering the appeal proposal 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.
5. The single storey extension would be set back from the existing frontage and would project along the full depth of the property and into the rear garden to a limited

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

degree. In terms of its overall scale, therefore, it would be proportionate to the size of the host dwelling. The former barracks building is, however, relatively close to the shared side boundary. As the side extension would be built up to the boundary fence it would materially affect the current separation between the historic building and the appeal property.

6. The predominant roof form within this part of the conservation area is simple dual-pitched roofs. These are present on the historic buildings and reflected in the new dwellings, including the appeal property, to provide a strong degree of uniformity across the roofscape of the built forms as a whole. Consequently, in this setting, despite its limited size, the flat-roofed design of the extension directly next to the historic barracks building would appear as an incongruous and uncharacteristic feature that would not be in keeping with the conservation area.
7. I note that the appellants would accept a condition requiring the external materials to be submitted and approved to address the Council's concerns in this regard. I have also had regard to the contention that there is a smaller gap between No 9 Dragoon Road and the adjacent historic building. These matters do not, however, overcome the harm that would result from the proposed extension as found above. The fact that the adjacent historic building is to be renovated and reused does not mean that the harmful effects of the flat-roofed extension would be mitigated.
8. Therefore, for these reasons, I find that the proposal would fail to preserve the character and appearance of the Abbey Field Conservation Area. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation². Based on the above findings, I consider the harm to be less than substantial in this instance, but nevertheless of considerable importance and weight.
9. Under such circumstances the Framework advises that this harm should be weighed against the public benefits of the proposal³. I have had full regard to the benefits suggested by the appellants and acknowledge that the additional space created by the extension would provide an enhanced standard of accommodation. However, the harm to the designated asset is of considerable weight and, therefore, the proposal would not provide sufficient public benefits that would outweigh the harm that has been found.
10. The appellants' contention that there is inconsistency between the Council's pre-application advice and the decision on the planning application cannot have a direct bearing on this appeal, which is concerned with the planning merits of the proposal as submitted.
11. Therefore, for the above reasons, I conclude that the proposed extension would not preserve the character and appearance of the Abbey Field Conservation Area or the setting of the adjacent locally listed building, a non-designated heritage asset. Consequently, the proposal is contrary to the following development plan policies: SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 (2021), which requires development to preserve the quality of existing places and to protect and enhance assets of historical value; ENV1 of the Colchester Borough Local Plan 2017-2033 Section 2 (2022), which states that the Council will conserve and

² Paragraph 212.

³ Paragraph 215.

enhance the historic environment; DM13 and DM15 of the Local Plan Section 2, which require development not to have an adverse impact on the character of the area; and DM16 of the Local Plan Section 2, concerning the effect of development on the historic environment, including conservation areas.

Conclusion

12. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR