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## Appeal Decision

Site visit made on 29 October 2025

**by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 13 November 2025**

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**Appeal Ref: APP/A1530/D/25/3372021**

**Gable Villa, 1 Hamilton Road, Wivenhoe, Essex CO7 9DU**

- 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 Mrs Heather Cooper against the decision of Colchester City Council.
  - The application Ref is 250515.
  - The development proposed is the construction of new side and front extension, with single pitched roof.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect on the character and appearance of the appeal dwelling and that of the local area, with reference to the Wivenhoe Conservation Area (the CA).

### Reasons

3. The appeal dwelling is a two storey end of terrace very early 20<sup>th</sup> Century brick built house, with a two storey outrigger and single storey extensions to the rear of that. It is located at a sharp right angled bend in the unadopted and unmade Hamilton Road and is bounded tightly to the road. Whilst the house fronts Hamilton Road, its main entrance is on the Flank. The side boundary beyond the rear of the main house is bounded to the street by a lapped timber fence on a low wall.
4. The terrace of which the appeal dwelling forms part is cohesive in design and character with minimal alteration and extensions, retaining much of its original character and appearance. The part of the street opposite the front of the appeal dwelling is made up of a variety of residential property types, while on the opposite side of the street facing its flank elevation, is the side of a of a metal clad commercial unit that is screened by a strip of trees and undergrowth
5. The appeal dwelling is located towards the centre of the CA, the significance of which, in this part, is formed by the close grouping of smaller scale 19<sup>th</sup> Century residential properties in a verdant setting. These collectively retain much of their original form and features, resulting in a cohesive and characterful streetscape. In this regard the appeal dwelling contributes to this significance.

6. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
7. The proposed single storey extension with mono-pitch roof would be positioned to the rear of the main house and the flank side of the rear two storey outrigger. It would extend rearward to almost the full extent of the outrigger but would extend sideways beyond the existing flank of the main house, to sit directly adjacent to the boundary. The proposed extension would have large glazed doors to its rear, and blank brick elevations to its flank on the boundary and its elevation facing the same direction as the front of the house.
8. The scale, extent and positioning to the boundary would result in the proposed extension appearing prominently in street views from both parts of Hamilton road and Brook Street that runs along the rear of the garden of the appeal dwelling. In these views the proposal would appear to project sideways from the appeal dwelling and, although not on its principal frontage, would present a generally featureless brick countenance to the street. This would be read against the existing house and its surviving original features and detailing, particularly its windows and main entrance on the ground floor of the flank elevation.
9. This would result in the proposed extension appearing as a dominant and incongruous feature, and unduly prominent in relation to the appeal dwelling and the terrace of which it forms part. Given that the proposal would appear prominently in street views from within the immediate area, this effect would be detrimental to the cohesion of the terrace and the streetscene of the local area. This would, therefore, reduce the contribution that the appeal dwelling makes to the significance of the CA.
10. The appellant has drawn my attention to extensions approved<sup>1</sup> at the nearby Hope Cottage opposite the appeal dwelling on Hamilton Road. This includes a single storey side extension of similar form to that proposed, however, it is located to that side of Hope cottage that opens onto a relatively extensive side garden and gravelled driveway space for that property. As such, its positioning in relation to the public realm results in it not appearing prominently in wider views and having a limited presence in the general streetscape. This, along with the other extensions to Hope Cottage would have been considered on their own individual merits at the time they were approved, and I have done likewise in my consideration of the appeal proposal, which is a main tenet of the planning system.
11. For the reasons given above, the proposal would result in substantial harm to the character and appearance of the appeal dwelling, moderate harm to the character and appearance of the terrace of which it forms part and fails to preserve the character or appearance of the CA. This would be contrary to Policy SP7 of the Adopted Local Plan Section 1 and Policies ENV1, DM13, DM15 and DM16 of the Adopted Local Plan Section 2. Collectively these, amongst other matters seek development that is of a high standard of design, conserves the historic environment, respond positively to local character, compatible with the scale, appearance and character of the original dwelling and the site boundary and have no adverse impact on streetscene.

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<sup>1</sup> Planning Ref: 091086

## **Planning Balance and Conclusion**

12. In accordance with the National Planning Policy Framework (2024), great weight should be given to the conservation of those heritage assets. The proposal would increase the living space of the appeal dwelling, which is primarily a private benefit in this instance and no substantive public benefits have been brought to my attention. I must give considerable importance and weight to the effect on the significance of the CA and, in addition, substantial weight to the effects on the character and appearance of the appeal property and moderate weight to the effect on the terrace of which it forms part. I consider that these benefits do not outweigh the harm I have identified, and the appeal is, therefore, dismissed.

*Victor Callister*

INSPECTOR