
Appeal Decision

Site visit made on 27 January 2026

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 February 2026

Appeal Ref: APP/P1560/W/25/3368792
157 Fronks Road, Harwich, Essex CO12 4JE

- 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 Michael James against the decision of Tendring District Council.
 - The application Ref is 25/00169/FUL.
 - The development proposed is the demolition of non-structurally sound 2 bed cottage and replace with one pair of 3 bed semi detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The townscape context of the appeal site is characterised by two storey semi-detached and terraced houses that front onto the roads in generally tightly spaced rows. Those opposite the appeal site comprise of a large group of houses built to a common type with traditionally proportioned plan forms and side facing gables. The terrace towards the west of the appeal site consists of a repetitive row of gabled fronted houses with long roof slopes and upper floor rooms contained partly in the roof space.
4. Although not identical, the houses on both sides of the road share common characteristics, including simple built forms and traditional proportions, with modest plan forms and side facing gables. They are typical of estate type housing from the previous century and together they give the townscape of this part of Fronks Road a consistent appearance that is locally distinctive.
5. The appeal site is a prominent and highly visible plot at the corner of the junction with the cul-de-sac serving the Fire Station and the Police Station. Both of those buildings are very different in scale and character to the residential buildings in the area. There is a public footpath running alongside the appeal site from which close views of the appeal site can be obtained.
6. Based on the evidence before me, the existing dwelling on the appeal site which dates from the late nineteenth century does not have sufficient heritage significance to warrant being treated as a non-designated heritage asset. Nonetheless, it is a constituent part of the townscape with a simple, narrow gabled

form and relatively low roof line. It sits comfortably on its prominent plot with space around it. As a matter of principle, a well-designed replacement building would not be unacceptable if it were in-keeping with the prevailing townscape once built. However, this would not be the case for the proposed building as there would be some significant differences between it and those in the area.

7. The plan form of the proposed building would, in my judgement, be considerably deeper from front to back than the existing dwellings in the area, and the submitted drawings do not indicate otherwise. This would result in the side gables of the proposed dwelling being much wider than the side gables of other buildings in the street scene, which have consistently shallower plan forms. The elongated and somewhat squat proportions of the wide east facing gable of the proposed building, which would be highly visible in street level views, would be incongruous by comparison to the existing buildings in the street scene. The considerable massing of the east facing gable would be exacerbated by its high proportion of walling to window openings.
8. I estimate from the drawings that the proposed building would be set closer to the road than the adjacent terrace where its built form would disrupt the line of buildings in the street. Land levels at the site appear to rise to the east and therefore it seems likely given the height of the proposed building that its roof would project some way above that of the adjacent terrace. The details on the submitted drawings do not indicate otherwise or show levels for comparison. Even if it was possible to achieve a broadly consistent roof level with the terrace, the proposed building's deep plan form and the resultant massing of its wide side facing gables would contrast markedly with the proportions of the existing buildings in the street scene.
9. Set in a prominent position forwards of the adjacent terrace and with the corner almost hard up to the boundary with the footpath, the proposed building would appear as an unduly large and bulky addition to the street scene that would be harmfully out of keeping with the generally consistent sizes and traditional proportions of the existing buildings in the townscape. It would give the impression of the overdevelopment of what is a prominent and highly visible parcel of land in the street scene. Although the pattern of windows, front porch and chimney are details that would relate to those on existing buildings in the area, they would not overcome the harm from the scale of the proposed building.
10. For those reasons I conclude that the appeal proposal would significantly harm the character and appearance of the area, contrary to Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond, Section 1, Adopted January 2021 (TDLP1) and Policies SPL3, LP3 and LP4 of the Tendring District Local Plan 2013-2033 and Beyond, Section 2, Adopted January 2022 (TDLP2) insofar as they seek to ensure that new development achieves high standards of architectural design and maintains or enhances local character and distinctiveness, and relates well to their surroundings with regard to, amongst others, siting, height, scale and massing.
11. For those same reasons the proposed development would conflict with paragraph 135 of the National Planning Policy Framework ("the Framework") insofar as planning decisions should ensure that development is sympathetic to local character, including the surrounding built environment.

Other Matters

12. The Council is unable to demonstrate a 5-year supply of deliverable housing sites with a current supply of some 3.22 years, representing a sizeable shortfall against the housing requirement. However, the benefits arising from an additional dwelling would be modest even if delivered quickly. Future occupants would make only a limited positive contribution to using facilities and services in the wider area. Construction of the development and its occupation would generate a small level of economic activity. Devices to generate renewable energy would deliver a small beneficial reduction in carbon emissions.
13. Even if the Council's duty to deliver enough self-build plots to meet demand was not being met, without a mechanism in place to properly secure a self-build or custom build development, the potential benefit of such dwellings attracts limited weight in favour of the appeal.
14. Although the existing building is in a poor condition and described as structurally dangerous, I am not satisfied that the appeal scheme would be the only option for replacing it. The Council has separate powers for dealing with untidy land and buildings. I see no reason why a sympathetically designed scheme could not achieve the same benefits as the appeal proposal. An absence of objections from local residents would not weigh in favour or against the proposal.
15. The appeal site lies within the zone of influence of the Hamford Water Special Area of Conservation (SAC). However, as the development would not proceed there would be no harm to the habitats and qualifying features of the SAC. Being mitigation, the financial contribution that could have been secured to avoid harm to the SAC would have been a neutral factor.
16. Due to the distances of separation between the appeal site and the Grade II listed buildings of The Lodge, The Grange and Dovercourt Water Tower, the settings of those buildings would be preserved, having regard to my statutory duty¹, and this would be a neutral factor.

Conclusion

17. The proposed development would harm the character and appearance of the area, resulting in conflict with TDLP1 Policy SP7 and TDLP2 Policies SPL3, LP3 and LP4, and the development plan as a whole. This is a matter of substantial weight against the appeal development.
18. In accordance with Framework paragraph 73, great weight should be given to the benefits of using suitable sites within existing settlements for new homes. The positive aspects of the proposal align with some of the policies in the Framework, particularly the benefits of new housing. However, Framework paragraphs 131, 135 and 139 state that achieving good design is a key aspect of sustainable development and development not well designed should be refused.
19. The appeal development is not well designed and would cause significant harm to the character and appearance of the area, which is determinative in this appeal. Accordingly, the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the

¹ Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Framework taken as a whole. Consequently, the application of the presumption in favour of sustainable development does not indicate the appeal should be allowed.

20. For the reasons given above I conclude that the material considerations, including the proposal's benefits and the provisions of the Framework, do not indicate that a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal scheme is not acceptable and the appeal should be dismissed.

G Sylvester

INSPECTOR