



Appeal Decision

Site visit made on 4 February 2026

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 March 2026

Appeal Ref: APP/A1530/W/25/3376144

122 Coast Road, West Mersea, Essex CO5 8PA

- 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 C Childs against the decision of Colchester City Council.
 - The application Ref is 251813.
 - The development proposed is erection of side extension to existing first floor flat and creating roof level terrace area.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the appeal property and the area and whether the proposal preserves or enhances the character or appearance of the West Mersea Conservation Area (CA).

Reasons

3. The appeal site lies within the CA. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
4. The CA contains a mix of building types and ages which mostly have space between and to the front of the buildings. The CA follows the coast and the relationship of the buildings, including the spaces between them, and shoreline reveal a story about how people historically lived, sailed and fished in the area. The presence and traditional form of older buildings, such as the appeal property, assist in revealing that story. Insofar as is relevant to this case, in my view the significance of the CA is founded on the open and historic maritime character.
5. The appeal property is a C19 dwelling which has previously been extended. The properties on the northern section of Coast Road are predominantly detached residential and commercial buildings in plots of varying sizes. There are gaps of different sizes between the buildings and the majority of the buildings are set back from the road to various extents. This creates a pleasing sense of spaciousness to the street scene. The properties in this part of Coast Road therefore accord with the prevailing character and appearance of the CA and contribute strongly to its significance.

6. It is disputed between the main parties whether or not the appeal property constitutes a non-designated heritage asset (NDHA). The National Planning Policy Framework (the Framework) defines a heritage asset as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes assets identified by the local planning authority, such as non-designated heritage assets.
7. The OS maps in the appellant's Heritage Statement reveal the appeal property is a longstanding 19C building and therefore has historic fabric embodied within it. Although the appeal property has been extended its 19C origins are still discernible from the front, such as the proportions of the frontage and the simple pitch of the front slate roof plane. These elements, which face the coast, contribute positively to the historic nature of the building. Therefore, the appeal property is an NDHA, the significance of which reinforces that of the CA.
8. The proposed extension would be in close proximity to the boundary with 124 Coast Road (No 124), with only a narrow gap between the extension and the boundary remaining at the first-floor level. The introduction of built form at first-floor level would add substantial mass to the building. That massing would be set only a limited distance back from the main front elevation of the dwelling and as such the apparent bulk of the building would be substantially increased. While a small gap would remain between the proposed extension and the side elevation of No 124, the spaciousness between the buildings would be eroded and the extension would detract from the historic proportions of the frontage of the building.
9. During my site visit I observed that the dwelling at 120 Coast Road (No 120) is built up to the boundary with the appeal site. However, No 120 is set much further forwards than the appeal property which, together with the current gap between the buildings, retains a moderate degree of spaciousness.
10. The existing flat-roof extension to the front of the appeal property is an unsympathetic addition which is not reflective of the surrounding area. The proposed roof terrace and French doors would exacerbate the unsympathetic architectural detail of the extension and would be out of keeping with the 19C origins of the building. The roof terrace would be at a high level and thus would be a very prominent addition to the building. Furthermore, activity on the roof terrace would draw the eye to these unsympathetic features.
11. Photographs have been provided of several examples of roof terraces and balustrades in the vicinity of the appeal site. However, the exact locations of these have not been provided so it is unclear whether all of these examples are within the CA. No details of any planning permissions for these terraces and balustrades have been provided, and it is unknown whether any of these terraces were constructed on existing flat-roof extensions. Notwithstanding this, most of the examples are more modest in size than the proposed roof terrace and they have all been designed to integrate with the host building. As such, these examples are not directly comparable to the appeal proposal before me, which has been determined on its own merits.
12. I acknowledge that the ridge line of the extension would be set down from the main roof and that the extension would be finished in materials to match the existing property. However, this would not mitigate against the harm identified above.

13. The proposal would therefore harm the character and appearance of the appeal property, an NDHA, and the area. It would also fail to preserve the character or appearance of the CA, harming its significance.
14. The harm to the CA would be less than substantial and towards the lower end of any range. However, it is still of considerable importance and weight. In these circumstances, the Framework states that the harm should be weighed against the public benefits of the scheme.

Planning and heritage balance

15. The proposal would provide additional habitable accommodation for the appellant and his family, however this is a private benefit. The proposal would not cause harm to the living conditions of neighbouring residents, and I note that West Mersea Parish Council and some of the representations from residents did not object to the proposal. However, these do not alter the harm identified above.
16. Economic advantages would arise from the construction of the extension, however these would be limited by the scale of the development. As such, the public benefits are insufficient to outweigh the great weight I afford to the harm to the designated heritage asset.
17. The proposal would therefore conflict with Policy SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 and Policies DM15, DM16 and SS12b of the Colchester Borough Local Plan 2017-2033 Section 2. These policies seek, amongst other things, for development to respond positively to local character and context and to conserve and enhance the significance of a heritage asset.
18. The Council also cites a conflict with Policy WM26 of the West Mersea Neighbourhood Plan 2017-2033 (NP) however this policy relates to minimising light pollution, a matter which has not been raised by the Council. The proposal would however conflict with NP Policies WM24, which requires development proposals to preserve or enhance the significance of the heritage assets, and WM25, which requires proposals that would affect local heritage assets to be designed sensitively with careful regard to the historic and architectural interest.

Conclusion

19. I conclude that the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

D Ellis

INSPECTOR