



Appeal Decision

Site visit made on 17 December 2020

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th December 2020

Appeal Ref: APP/A1530/D/20/3258794

Kansu, 53 Seaview Avenue, West Mersea, CO5 8BY

- 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 Mr Steven Ramsay (Mr & Mrs S Ramsay) against the decision of Colchester Borough Council.
 - The application Ref 201193 dated 11 June 2020, was refused by notice dated 6 August 2020.
 - The development proposed is proposed extension and alterations – Changes to approved scheme reference 191659.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the host dwelling and surroundings with regard to character and appearance.

Reasons

3. The appeal site is a detached residential property orientated differently (side on) to surrounding properties and the road. It is set back from the road, accessed by a driveway, and stands in a large plot. The site is stated to benefit from planning consent (reference: 191659) for proposed extensions and alterations. I do not, however, have the approved plans from this previous application to enable me to draw comparison. I only have the Council's assessment of the differences between the scheme before me.
4. Despite this the Council confirm that many of the alterations have been previously approved through that application and that the notable change, in this appeal proposal, is the form of the rear/side first floor extension. In the previously approved scheme is stated to have had a pitched roof with the pitch matching the main roof range of the host dwelling. The Council's refusal reason appears to relate solely to the design of the rear/side first floor flat roof extension. I have no evidence before me to suggest there is issue with other elements of the combined proposals and, for this reason, this decision will focus solely upon the rear/side first floor extension.
5. The appeal proposal seeks to extend off an existing flat roof dormer over an existing ground floor rear extension. The presence of the existing flat roof dormer, and the existing single storey flat roof structure, is relatively unnoticeable when viewed from the right and left flank elevations. The existing single storey flat roof elements are, to an extent, shielded by the existing two

- storey projection to the west of the dwelling. The proposal, bringing a flat roof element up to two-storey, would be a more dominant and notable feature than those already present due to the scale, design and position which is at odds with the scale and general design of the host dwelling.
6. I find that the proposed first floor extension, creating a flat roof at two-storey height, would present as an awkward addition to the property when viewed from the right flank elevation. I find it would also be notable, despite being shown greyed on drawing no. 2146-08, from the left flank elevation which faces the public highway due to it projecting past the existing roof pitch of the two-storey western projection.
 7. In addition the proposed side window, viewed from the right flank elevation, is large and I find that this does contribute to the extension appearing as an inappropriately designed addition and at odds with the existing dwelling when considering the fenestration on that elevation. Overall I find the rear/side first floor extension element to present as a dominant box-like addition which does not relate well to the character and appearance of the existing dwelling.
 8. I am not convinced it would not be visible from the street scene but given the set-back, from the public highway, I accept that the views of the proposed flat roof would likely be limited. I note that the appellant makes reference to photographs submitted to the Council but I do not have these before me with the appeal documentation as they have not been submitted by either party.
 9. I appreciate that public views of the appeal site are limited but it would be visible from neighbouring properties. There would, therefore, be impact from the proposal upon the character and appearance of the immediate area but I find that this would be limited. I also note that the property styles and materials along Seaview Avenue are varied with some, single-storey, flat roof elements. Despite this, and views of the proposal acknowledged as being limited, this does not reduce the requirement for good design which is in keeping with the character and appearance of the host dwelling itself.
 10. The proposal would be contrary to LP¹ Policy DP1 which requires proposals to respect and enhance the character of the site in terms of its architectural approach and detailed design features and CS² Policy UR2 which seeks to resist developments which are discordant with their context and fail to enhance character. The proposal would also be contrary to paragraph 127 of the National Planning Policy Framework 2019 which requires development to be visually attractive as a result of good architecture.

Other Matters

11. I note the appellant's contention that the Council have failed to act positively and proactive amongst other issues raised. Concerns regarding the processing and/or handling of the application are not issues which I can assess as part of this appeal. The validity or not of such matters does not affect the planning merits or impacts of the proposal before me.
12. I note that the appellant makes reference to alignment of the eaves being potentially addressed under minor amendment, however, I must determine the appeal based upon the plans and proposals which I have before me.

¹ Colchester Borough Development Policies (adopted 2010, amended 2014)

² Colchester Borough Core Strategy (adopted 2008, amended 2014)

13. A lack of objection or, in this case, support for a proposal from consultees, neighbours or local members is a neutral consideration. I have no evidence before me to suggest that application reference: 200960 has impacted upon this proposal or the Council's decision.

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR