



Appeal Decision

Site visit made on 1 February 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH February 2022

Appeal Ref: APP/A1530/D/21/3287149

14 Norman Close, Marks Tey, COLCHESTER, CO6 1HJ

- 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 Tim Sparkes against the decision of Colchester Borough Council.
 - The application Ref. 211948, dated 28 May 2021, was refused by notice dated 4 November 2021.
 - The development proposed is front porch, first floor side extension with underparker and single storey rear extension.
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Decision

1. The appeal is dismissed insofar as it relates to the first floor side extension with underparker. The appeal is allowed and planning permission is granted insofar as it relates to the front porch and single storey rear extension at 14 Norman Close, Marks Tey, COLCHESTER, CO6 1HJ, in accordance with the terms of the application, Ref. 211948, dated 28 May 2021, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) Insofar as relevant to that part of the development hereby permitted, the development shall be carried out in accordance with the following approved plans: 1:1250 scale location plan; 0289/PL/03; 0289/PL/05; and 0289/PL/06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the dwelling and the surrounding area.

Reasons

3. The appeal property is located towards the end of a cul-de-sac of semi-detached and terraced dwellings. Whilst some have been extended, they appear cohesive as a result of their general design, detailing and materials. The group are reflective of the style of dwellings found in parts of the wider residential estate, a notable feature of which is the gabled roof forms. Hipped

roofs appear to be the exception on the dwellings from this construction period. The appeal property benefits from a wider plot than others in Norman Close.

4. There is a garage in the rear garden of the appeal property, and whilst I appreciate the benefits of the 'underparker' in allowing access to that building, it would nevertheless be an incongruous feature on the dwelling and in the street scene. Other open carports in the vicinity are more modest in scale and visual impact, as they do not support first-floor accommodation. Given the consistent design of buildings in the cul-de-sac and the wider area, the introduction of a two-storey extension with a large ground floor void would not be in keeping with the design and form of the host dwelling, and would detract from the street scene. Moreover, I share the Council's assessment that the first floor would appear poorly supported by the proposed pillars.
5. The side extension would materially increase the width of the dwelling. Rather than be subservient, the extension would appear quite dominant as a result of its scale, form and design. The hipped roof, lower ridge height and recessed front and rear walls all seek to reduce the bulk of the addition, but these would not mitigate its impact. I accept that the proposal has been designed so as not to blur the appreciation of this as an extension, but the roof form and design would be at odds with the existing architectural style. This discordance would be exacerbated by the proposed eaves height above that of the main dwelling, and the misaligned window heights. The cul-de-sac position would limit public viewpoints but the proposal would nevertheless detract from the dwelling, and would be highly visible in the local street scene due to the position of the neighbouring house.
6. The appellant has referred to principles set out in Design Guides published by other local authorities. However, design approaches that may be appropriate in one area may not be in another. Although relevant details have not been supplied, the Council's delegated report confirms that The Essex Design Guide is an adopted supplementary planning document, and the other guides cited by the appellant are not material to this appeal.
7. Attention has been drawn to other extensions in the wider area, but no details have been provided of the planning permissions granted and the policies against which they were assessed. However, as none appear to be directly comparable in terms of roof design and 'underparker', they offer limited support to the proposal.
8. I therefore conclude that, as a result of its design, scale, form and detailing, the proposed side extension would conflict with the overarching design aims of the National Planning Policy Framework, Policy UR 2 of the Colchester Core Strategy and Policy SP 7 of the Colchester Borough Local Plan 2013-2033 Section 1; and more specifically with Policy DP1 of the Colchester Development Policies, which amongst other criteria requires proposals to respect and enhance the character of the site and its surroundings in terms including architectural approach, height, size, scale, form, proportions and detailed design features.
9. I find no conflict in principle with Policy DP13 cited by the appellant, as this supports residential extensions within settlement boundaries provided that they meet other policy requirements. However, this does not alter my assessment overall.

10. I share the Council's analysis regarding the proposed porch and single storey rear extension. I find these elements to be acceptable in their visual and other impacts, and compliant with the above policies. As both elements are clearly severable from the proposed side extension, and both physically and functionally independent, I propose to issue a split decision.

Conditions

11. In addition to the standard time limit, I have attached a condition specifying the approved drawings as this provides certainty. It is also appropriate to control materials to match the existing dwelling, in order to safeguard the character and appearance of the dwelling and the area.

Conclusion

12. For the above reasons, I conclude that the appeal should be allowed in part and dismissed in part.

H Lock

INSPECTOR