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## Appeal Decision

Site visit made on 9 January 2023

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

an Inspector appointed by the Secretary of State

**Decision date: 9 February 2023**

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**Appeal Ref: APP/P1560/D/22/3306806**

**Dulverton, Colchester Road, Elmstead, Colchester, CO7 7EG**

- 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 Mrs Nicola Crossman against the decision of Tendring District Council.
  - The application Ref. 21/01852/FULHH dated 19 October 2021, was refused by notice dated 23 June 2022.
  - The development proposed is two extensions, one to provide a master bedroom/bathroom over a family living room and one to provide a shower room.
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### Decision

1. The appeal is allowed and planning permission is granted for two extensions, one to provide a master bedroom/bathroom over a family living room and one to provide a shower room, at Dulverton, Colchester Road, Elmstead, Colchester, CO7 7EG, in accordance with the terms of the application, Ref 21/01852/FULHH, dated 19 October 2021, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the approved drawings Nos. 2104.05.002 site plan, 2104.05.013 existing and proposed side elevations, 2104.05.013 existing and proposed rear elevations, 2104.05.013 front and rear elevation - shower room, 2104.05.013 perspective to rear, 2104.05.013 courtyard elevation, 2104.05.013 left hand elevation, 2104.05.013 proposed ground floor plan, 2104.05.013 proposed ground floor plan – furniture, 2104.05.013 proposed first floor plan, 2104.05.013 proposed first floor plan – furniture, 2104.05.013 proposed roof plan, and 2104.05.013 existing and proposed front elevations.

### Main Issue

2. The main issue in this case is the effect of the proposed extension on the existing house, the streetscene and the neighbouring property.

### Reasons

3. The appeal dwelling is situated in a mature residential area in which there is a wide variety of dwelling types and building forms, including 2-storey houses and bungalows, detached, semi-detached and terraces, of a variety of ages. A good number of the dwellings effectively fill their frontages. The appeal

property is a detached 2-storey house which is set well to the left of its plot when looking from the road, close to the boundary with the neighbouring bungalow 'Lanwyn'. The remainder of the frontage to the right is occupied by outbuildings, sited on the curtilage boundary separated from the house by an access way. The proposed front extension would be partially on the site of the outbuildings, but would stand 1.6m off the boundary with the neighbouring bungalow 'Birches'.

4. The appeal proposal is in 2 parts, a 2-storey extension at the front and a smaller, single-storey extension at the rear. The front extension would be set back from the existing front elevation by 1.12m and the ridge of the gabled roof would sit below the existing ridge, so that in spite of its width, it would be seen as a subservient extension. It would have a modern character, with 'blind windows' at first floor, roof lights that echo the position of the blind windows, and a wide glazed window to the ground floor, divided into 3 by vertical glazing bars. The materials would be brick, tile hanging and slate roof covering, all to match the existing. These features of the front façade would further identify the extension as an addition; the vertical emphasis of the elements would respond to the vertical fenestration of the existing building, with pleasing proportions.
5. In my judgement, the result is an interesting addition, satisfactorily relating to the existing house. There would remain a sufficient separation and sky gap between the extension and Birches. It would not be harmful to its neighbours, or to the streetscene, and would preserve and enhance the immediate surroundings.
6. The refusal reason makes no mention of the single-storey rear extension. The brickwork will match the existing house, it is low level, minor in nature, and set back significantly from the front of the dwelling. As the officer's report acknowledges, it would not have a significant impact on the character and appearance of the existing dwelling or the immediate area.

## **Conclusions**

7. As is often the case, decisions on planning applications rely upon planning judgement. In this case my judgement is different to that of the planning officer. For the reasons that I have set out above, I conclude that the proposed extensions would relate well in a subservient and interesting way to the existing house, would not have a harmful effect of on the streetscene, and would have a satisfactory relationship with neighbouring property. Therefore, I will allow the appeal.

## **Conditions**

8. The statutory condition that provides a time limit on the start of development must be imposed. In addition, the council has suggested 1 additional condition in the event that the appeal is upheld. This condition is required for certainty and avoidance of doubt as to the development permitted,

*Terrence Kemmann-Lane*

INSPECTOR