



Appeal Decision

Site visit made on 19 October 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2023

Appeal Ref: APP/A1530/D/23/3327097

Oaklands, Nayland Road, West Bergholt, Essex CO6 3DG

- 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 Maria Keady against the decision of Colchester City Council.
 - The application Ref 230874 dated 12 April 2023, was refused by notice dated 5 June 2023.
 - The development proposed is described as removal of Conservatory and Part removal of existing dwelling to allow for New 2 Storey Extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the submission of the appeal the National Planning Policy Framework (2021) has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

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

Reasons

4. The site is a modest bungalow within a predominantly residential area. Property form and design vary within the immediate area. Whilst the appeal site is screened to a degree by existing landscaping fronting Nayland Road, the proposed development would be an unsympathetic addition to the area dominating the existing property.
5. The proposed development would substantially increase the mass and bulk of the existing property, creating a disproportionate and incongruous addition to the modest property.
6. I conclude that the proposed development would harm the character and appearance of the area. There is conflict with Policy SP7 of the Colchester Borough Council Local Plan 2013-2033 Section 1 (2021), and Policies DM13 and DM15 of the Colchester Borough Local Plan 2017-2033 Section 2 (2022) which amongst other things seek to ensure developments are of high standard

of design which positively respond to its context area and that extensions are subordinate to the original dwelling.

7. There is also conflict with the Framework which seeks amongst other things to ensure developments are of good design.

Conclusion

8. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR