

Appeal Decision

Site visit made on 13 February 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2024

Appeal Ref: APP/A1530/D/23/3333938

10 Ringleet Lane, Stanway, Essex CO3 0AJ

- 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 K Foy against the decision of Colchester Borough Council.
 - The application Ref 232086, dated 3 September 2023, was refused by notice dated 30 October 2023.
 - The development proposed is single storey extension to front of property.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling and the street scene.

Reasons

3. The appeal property is a two storey link-detached dwelling in a recent residential development of mixed property types to the north of Halstead Road.
4. Policy SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 (2021) requires development to meet high design standards, including that it should preserve and not harm local character. Policy ENV1 of the Colchester Borough Local Plan 2017-2033 Section 2 (2022) states that the Council will conserve and enhance the natural environment, while Policies DM13 and DM15 of the same Plan require development to be compatible with the character and appearance of the host dwelling and not to have an adverse impact on the character of the area.
5. No 10 has a regular plan form with a central front door and regular fenestration pattern to the principal elevation. As such, it has a traditional character and appearance. The dwelling is positioned at an angle to the road frontage, giving it particular prominence in the street scene, most notably when entering Ringleet Lane from Swallowtail Glade. From this viewpoint, the frontage of the appeal property mirrors that of No 14 closer to the junction, providing a good degree of uniformity in the street scene, reflecting its original planned design and layout.

6. The single storey front extension would retain the central position of the front door and the regular fenestration pattern, with materials to match the existing dwelling. The forward projection of the extension would not be significant in terms of increasing the overall size of the host dwelling. It would, however, represent a substantive change due to its prominence to the front of the dwelling.
7. The forward projection with mono-pitch roof would disrupt the simple form of the existing elevation, as well as adding a number of rooflights, which would be an alien feature further highlighting the material change to the original dwelling. Given that all the other properties within the street scene appear to retain their original frontages and the prominence of the appeal property, the extension would be particularly incongruous and uncharacteristic both in its own right and by contrast to the otherwise unchanged street scene. The extent of the change proposed is not comparable to the effect of existing mono-pitch dormers on the appeal property or other dwellings.
8. The landscaping to the front of the property is a relatively small, grassed area. Given the general lack of greenery within the street scene, it does make a positive contribution to its character and appearance. However, the plans show a substantive part of this area would be retained and, as such, this matter as it relates to the effect of the extension is not harmful.
9. Nonetheless, for the reasons given, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the host dwelling and the street scene. Consequently, the proposal is contrary to Policy SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 and to Policies DM13 and DM15 of the Colchester Borough Local Plan 2017-2033 Section 2, described above. It is also contrary to the National Planning Policy Framework, which promotes good design. There is no conflict, however, with Policy ENV1 of the Local Plan Section 2, with regard to the effect on the natural environment.

Other Matters

10. I acknowledge that the appellant may be frustrated by the process leading to the Council's decision in this case. However, this matter is not within the scope of this appeal, which concerns the planning merits of the proposal. The fact that there were no objections to the proposal from interested parties is not sufficient reason to set aside the harmful effects, particularly given the permanent nature of the proposal.

Conclusion

11. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR