



Appeal Decision

Site visit made on 25 November 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/A1530/D/24/3345890

109 Colchester Road, West Bergholt, CO6 3JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr N Harris against the decision of Colchester City Council.
 - The application Ref is 240228.
 - The development proposed is described as 'Proposed retrospective planning for rear extension (Alterations to approval 231375)'.
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the dwelling and the area. The appeal site comprises a modestly-sized, traditional, two storey semi-detached house located on a busy road of similar properties separated by driveways between each pair. Some of the dwellings have been altered over the years but most retain the gabled projection at first floor level on the rear elevation that illustrates their original form and contributes positively to the Victorian character of the dwellings.
3. The appeal dwelling has been much altered and extended in the past to include a single storey, flat roofed extension at the rear that extends across the width of the dwelling. The current proposal, whose construction has already commenced and whose form was clearly apparent at my visit, is a first floor rear extension with a flat roof, sited over most of the depth of that ground floor extension and in line with the side elevation. Permission was granted earlier this year under ref 231375 for a similar but smaller extension. The Council says that the scheme as partially built is the same as that proposed initially under that application. It was subsequently amended during the course of that application to reduce its depth to align with the building line of the rear gabled projection and to reduce its height to meet the eaves of the original building, thus mirroring the extension at the adjoining property, no 111. Although both the approved scheme at this site and the extension at no 111 also have flat roofs, both are sufficiently small in scale to make the flat roof form visually unintrusive and acceptable.
4. The current scheme extends beyond the rear elevation of the gabled projection and above the height of the original eaves. As such, it appears overly dominant and significantly bulkier than the approved scheme and the extension

at no 111. The additional bulk would also draw attention to the flat roof form which is at odds with the pitched roof forms of the dwelling and those of most of the other first floor extensions in the street. As it can be seen clearly from the street through the gap between the dwelling and its neighbour at no 107, it detracts significantly from the area.

5. I noted at my visit that another pair of dwellings at nos 97 and 99 have deeper rear extensions at first floor level that extend the original gabled projection further to the rear. Whilst I have not been made aware of the planning status of those, they differ significantly from this proposal because they have pitched roofs that reflect the character of the original dwellings and in the case of no 99, the extension is set in substantially from the side elevation. Those extensions do not, therefore, provide justification for the harm that is caused in this case.
6. I find then that by reason of its size, scale and form, the proposed extension causes significant harm to the character and appearance of the dwelling and the area. As such, it is contrary to development plan policies SP7, DM13 and DM15 of the Colchester Borough Local Plan 2017-2033 and policy PP10 of the West Bergholt Neighbourhood Plan that together seek to ensure a high standard of design.

Conclusion

7. For the reasons given above, I conclude that the proposal would be contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

Inspector