



Appeal Decision

Site visit made on 17 December 2024

by **Jonathan Price BA(Hons) DipTP DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/A1530/D/24/3350571

10 Sackville Way, West Bergholt, Colchester, Essex CO6 3DZ

- 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 & Mrs T Akinlotan against the decision of Colchester City Council.
 - The application Ref is 240788.
 - The development proposed is part two storey and first floor side extension, two storey rear extension and single storey rear extension following demolition of conservatory.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the proposal on
 - the character and appearance of the host dwelling and surrounding area, and
 - the adjacent roadside trees.

Reasons

Character and appearance

3. The proposed extensions are to a detached house on Sackville Way; a small cul-de-sac of quite similar two-storey dwellings. No.10 occupies a corner plot at the junction to the estate, with a side boundary abutting the footway to Lexden Road. Mature oak trees occupy the adjacent verge and partially screen main road views of the side and rear elevations of the house, as seen above its boundary hedge. Such screening would no doubt be fuller in summer months, when the trees were in leaf, than when my site visit took place.
4. The Council's first reason for refusal relates specifically to the effects the additions would have on the character of the host dwelling. However, as the dwelling does not stand in isolation, such effects would be viewed in the context of the surrounding built environment. Whilst these effects impinge most directly upon the host property, they would inevitably have a degree of visual impact upon the wider street scene.
5. The existing two storey house is of a rectangular plan, with a hipped roof. It is sited quite centrally within the plot, behind a paved forecourt and detached double

- garage. There are small lean-to single storey extensions to the front and side, with a conservatory at the rear.
6. It is proposed to extend the dwelling at two storeys at one side and then to the rear, continuing the existing roof profile and creating an L-shaped plan. This would remove the existing side extension and wrap around a new single-storey rear addition replacing the conservatory.
 7. The appellant refers to there being only a marginal increase in the house front width. However, this displays well-balanced and visually pleasing proportions, preserved by the subservient scale of the single storey additions. Extending sideways at full roof height would detract from its currently well-proportioned front appearance.
 8. The rectangular plan of this two-storey dwelling, with its relatively slimmer sides, reflects proportions typical of the housing nearby. The single storey lean-to extension is a subservient feature. In contrast, the proposed two-storey extensions would create a substantial increase in built footprint and mass, with a very wide and undifferentiated side elevation facing the main road. The two windows proposed here would offer little visual relief to the expanse of brickwork.
 9. Such a bulky addition gains no merit by replacing a modest single storey lean-to. The architectural quality of the house would not be improved by the greater massing provided by such a large extension, even with matching facing materials. Without subservience or articulation, such massing would provide neither a better balanced nor a suitably contemporary design. This broad and rather bland elevation would be publicly seen from the main road, particularly during the winter months when the intervening oak trees provide less screening. Such visual harm would derive from the excessive scale and massing of the additions, overwhelming and detracting from the character and appearance of the host dwelling and the street scene generally.
 10. For these reasons, this scheme would not meet the high standards of urban and architectural design that Policy SP7 of the Strategic Section 1 Local Plan¹ requires of all new development. There would also be conflict with Policy DM13 of the Section 2 Local Plan ² (LPS2), concerning domestic development. This is due to the incompatibility of the proposed extensions with the scale, appearance and character of the original dwelling, these not being subordinate to it in terms of design and having an adverse impact on the appearance of the street scene and character of the area.
 11. The appellant points to LPS2 supporting text over the role of Policy DM13. This is to keep a balanced housing stock by preventing large extensions causing a loss of smaller and more affordable properties, not applicable in this case. However, this is not the sole concern of Policy DM13. As worded, it also relates to the design and appearance of extensions and the resulting impacts on the built surroundings. There is relevant conflict with this, as well as with LPS2 Policy DM15, insofar as it requires all development, including extensions, to be designed to a high standard.

¹ Colchester Borough Local Plan 2013-2033 North Essex Authorities' Shared Strategic Section 1 Plan, adopted February 2021

² Colchester Borough Local Plan 2017-2033 Section 2, adopted July 2022.

Roadside trees

12. The Council's second reason for refusal was over the lack of an Arboricultural Impact Assessment of the effects upon the adjacent mature oak trees. These are the subject of a Tree Preservation Order and contribute positively to the character and appearance of this area. The plans include a survey drawing showing the proposed extension falling beyond the tree canopies, with protective fencing provided during construction. However, even assuming the trees could be safeguarded, this would not avoid the harm found in relation to character and appearance.

Conclusion

13. The proposal would detract from the character and appearance of the host dwelling and surrounding area, contrary to policies SP7, DM13 and DM15 referred to above. These are consistent with the requirement of the National Planning Policy Framework to ensure that developments are visually attractive as a result of good architecture and sympathetic to the surrounding built environment. Therefore, I attach a high degree of weight to the conflict found with these policies and consider the proposal to be contrary to the development plan when read as a whole. Consequently, I conclude that the appeal be dismissed.

Jonathan Price

INSPECTOR