
Appeal Decision

Site visit made on 18 December 2024

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

Appeal Ref: APP/A1530/D/24/3348700

9 James Carter Road, Colchester, Essex CO3 9XA

- 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 Roberts against the decision of Colchester City Council.
 - The application reference is 231004.
 - The development is a proposed front extension above the existing garage.
-

Decision

1. The appeal is allowed and planning permission is granted for a proposed front extension above the existing garage at 9 James Carter Road, Colchester, Essex CO3 9XA in accordance with the terms of the application reference 231004, 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 following approved plans: Location plan, bp1, 101B proposed floor plans, 103C proposed elevations.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

Reasons

3. The appeal site comprises a two-storey, semi-detached dwelling with off-street parking on a driveway to the front, lying on the south side of James Carter Road. It is situated in a neighbourhood that is predominantly residential in nature with woodland forming part of Westlands Country Park to the rear.
4. I note that the appeal dwelling and those elsewhere in the immediate vicinity are not locally or statutorily listed, and the site is not located in a conservation area or Area of Outstanding Natural Beauty. In design terms the buildings are not of any particular architectural merit. At my site visit I observed that Nos 6, 12 and 21 James Carter Road have pitched roof first floor front extensions; there is no suggestion before me that these elements are harmful to the locale.

5. In addition, the building line along the south side of the highway is not uniform, with the appeal dwelling and its pair at an angle to the road. This arrangement has resulted in the side boundary of the appeal site being set against a backdrop of trees, where it has a modest impact upon the street scene. Amongst other things, there are also differences in the size and scale of properties, their materials, windows and other detailing. These characteristics demonstrate the variation in built form within the immediate environs and add to the visual interest of the area.
6. The ridge height of the appeal proposal would be lower than the original ridge line of the host unit, and is shown to be set back from the front wall of the existing ground floor garage, thus creating subservience. With all these matters in mind, I consider that the scheme would visually connect with the overall appearance of the host dwelling, without dominating it, and assimilate with the setting.
7. The sloping roof over the new open porch would match the existing monopitch roof to the front elevation of the main house. Whilst the angle would be different to the rest of the appeal proposal, I am of the view that it would not be so harmful as to warrant a dismissal of the case on this ground alone.
8. Consequently, I conclude that the scheme would not result in a detrimental impact upon the character and appearance of the existing dwelling and surrounding area. It would meet with Policies DM13, DM15 and SP7 of the Colchester Borough Local Plan 2022, which seek to secure development of an acceptable scale and design. It would also be consistent with the advice in the National Planning Policy Framework, which states that good design is a key aspect of sustainable development,

Conditions

9. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance.

Conclusion

10. Given the reasoning above and all other matters, the appeal succeeds.

C Hall

INSPECTOR