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## Appeal Decision

Site visit made on 18 November 2025

**By Terrence Kemmann-Lane JP DipTP FRTPI MCMI**

an Inspector appointed by the Secretary of State

**Decision date: 25 November 2025**

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**Appeal Ref: APP/A1530/D/25/3373787**

**8 Mistley Road, Colchester, CO4 6BY**

- 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 Mrs Emma Clement against the decision of Colchester City Council.
  - The application Ref is 251394.
  - The development proposed is conversion of existing loft space and form new shed dormer with tiled roof formed on rear roof slope. Tiled roof to match existing roof.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in this case the effect of the proposed dormer on the character and appearance of the property, terrace, and surrounding street scene.

### Reasons

3. The appeal dwelling is situated in a recent development formed on a grid pattern with substantial incidental open spaces between rows, complete with hipped roofed sitting-out shelters. The development consists of a single design theme of high-quality architecture, in red brick, with high slated gabled roofs, a common theme of fenestration, with window openings in contrasting surrounds. I am told that permitted development rights have been removed from the site and wider estate, no doubt as protection for the quality of its appearance.
4. In the documentation, 8 Mistley Road is described as a single terraced linked detached house, which at first sight appears somewhat contradictory. At ground level, it is detached from its neighbours, being separated by a parking area, with small storage buildings set back behind the rear elevation. At first floor level, the dwelling is carried across to link with the next-door house, above which is a continuous roof that covers the 4 houses in the group. The middle pair of the group have projecting gables with 'chimneys' that are a feature of the estate.
5. At the rear, the roofs of the 4 houses run continuously across all 4 in a single slope. This is a common feature on the estate, although there are also houses that are fully detached. It is into this roof slope, above the appeal dwelling, that the proposed dormer would be inserted. The top of the proposed dormer would be immediately below the ridge tiles, running down at a shallow pitch to meet the dormer's rear façade. This face would rise just behind the line of the main rear elevation of the house and extend across most of the width of the house. The result

would be that the existing roof would be reduced to narrow strips on each side of the dormer and just above the eaves.

6. If the appeal property were in the form of a fully detached house, the proposed dormer would dominate the dwelling by its excessive scale; in this context, as described, it would be an alien feature that would be damaging to the architectural design that is largely responsible for the high quality that the estate achieves. The resulting harm to the appearance of the house and its neighbours is exacerbated by the fact that walking around the square formed by Mistley Road and Arthur Cross Square, there are a substantial gaps that allow for a number of views of the roof of the appeal dwelling and its neighbours, so that the dormer would be conspicuous to even a casual observer in the area.
7. The tall roof of No.8, and its neighbours, obviously lends itself to the possibility of adding accommodation in the roof space, and I can readily understand the desire to add to the living accommodation with additional bedrooms and bathroom. However, the private value of the proposed enlargement of the house does not outweigh the public harm that would result.
8. I conclude that the proposal is contrary to the aims of policies of the Colchester City's Local Plan that are referred to on the decision notice and the emphasis on good design in the National Planning Policy Framework, together with the guidance in the Essex Design Guide, which has the status of being a Supplementary Planning Document. The proposed dormer would be harmful to the character and appearance of the property, terrace, and surrounding street scene. For these reasons, the appeal will be dismissed.

*Terrence Kemmann-Lane*

INSPECTOR