
Appeal Decision

Site visit made on 15 November 2016

by A Napier BA(Hons) MRTPI MIEMA CEnv

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 December 2016

Appeal Ref: APP/A1530/D/16/3158524

St Ives Farm, St Ives Road, Peldon CO5 7QD

- 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 Joseph Wales against the decision of Colchester Borough Council.
 - The application Ref 161446, dated 8 June 2016, was refused by notice dated 10 August 2016.
 - The development proposed is described as 'demolition of existing dilapidated out buildings and construction of a detached triple cart lodge garage and attached out building'.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing dilapidated out buildings and construction of a detached triple cart lodge garage and attached out building at St Ives Farm, St Ives Road, Peldon CO5 7QD in accordance with the terms of the application, Ref 161446, dated 8 June 2016, 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: site location plan, LPS157-1.4-REV00, 1.1 and 1:3.
 - 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is located outside the identified settlement boundary for Peldon, on a road that links different parts of the village. Although it is in reasonable proximity to the remainder of the settlement, due to the mature trees and hedges, the restricted width of the carriageway and absence of footways, the road has a predominantly rural character, notwithstanding the group of buildings that exist
-

immediately adjacent to the appeal site, which currently form part of a small industrial estate.

4. The appeal dwelling is a relatively sizeable property, which appears to have been significantly extended and altered over time. It is situated towards the front of the appeal site, with an extensive area of enclosed garden to one side and a range of outbuildings to the rear. With the exception of the garage block, which is a relatively recent building, the outbuildings appear to be of some age, are predominantly timber and seem to be in very poor condition, with holes visible in the roof and some areas of collapse evident.
5. The proposal seeks to demolish these outbuildings and reconfigure this part of the site. It has not been suggested, nor do I consider on the evidence available to me, that these outbuildings should be retained. The revised layout as proposed would provide a courtyard area to the rear of the dwelling, which would enable a more effective use of this space. Furthermore, the removal of the existing outbuildings, relocation of the parking area, the associated landscaping and provision of a more open courtyard area to the rear of the house, enclosed by outbuildings as proposed, would materially enhance the setting of the dwelling.
6. The proposed new outbuildings would be largely two-storey in form and would provide a significant amount of additional ancillary accommodation and incidental space. The mansard roof proposed for most of the structures would result in a materially different profile compared to other buildings on the site and in its immediate vicinity. However, the proposed buildings would be seen within the context of the immediately adjacent industrial buildings, which are materially larger in scale and significantly different in their design and appearance to the buildings within the appeal site. Whilst they may, in part, reflect its agricultural origins, they are nonetheless somewhat visually intrusive and distinctly different to its current residential character.
7. In this context, I find that the height and overall scale of the proposed buildings would not be excessive. Furthermore, as the siting and design of the appeal buildings would provide some partial screening of the neighbouring industrial buildings, this would also result in some benefit to the setting of the main dwelling. Given the complementary siting and scale of the proposals, I am satisfied that the proposed structures would not be visually dominant within the site and their design would not detract from the appearance of the main dwelling. Furthermore, wider public views are limited by local topography and existing screening and the proposed siting of the buildings towards the rear of the site and their height, which would not exceed that of the existing garage block, would further limit the wider impact of the scheme.
8. Whilst the proposal would alter the siting, layout and design of development within this part of the site, in comparison to the existing and for the above reasons, the proposed structures would not lead to an unacceptable increase in the extent or mass of built form or materially alter the existing landscape of the site or the surrounding area. As such, I am satisfied that they would not result in an overdevelopment of the site or a cramped form of development. Moreover, whilst local concerns have been expressed about the siting of the outbuildings towards the rear of the site, given their intended use and for the above reasons, I consider that their relationship to the main dwelling would not be unacceptable.
9. Accordingly, considered overall, I conclude that the demolition of the existing outbuildings and proposed replacement outbuildings would not be harmful to the character and appearance of the area. The proposal would be in accordance with the *Colchester Core Strategy 2008* Policy UR2 and the *Colchester Development*

Policies 2010 Policies DP1 and DP13, where they seek collectively to protect local character and appearance. It would also meet the aims of paragraph 17 of the National Planning Policy Framework, to achieve high quality design and take account of the different roles and character of different areas.

Other matters

10. Having regard to the evidence provided, including the bat and bird survey submitted with the application, I am satisfied that the proposal would not be likely to have a significant effect on any protected species, subject to appropriate survey for the presence of nesting birds prior to the demolition of the existing buildings.
11. Local concerns have been expressed about the potential use of the proposal separately from the existing dwelling. However, the submitted details do not indicate that the proposal is intended to be used in this way and any proposed change in this respect would be a matter for the local planning authority in the first instance. As such, this matter does not lead me to alter my findings above.
12. The proposal would have a number of potential benefits for the appellant, in particular in relation to living conditions. However, given my findings above on the main issue, it is not necessary for me to consider these matters in detail.

Conditions and conclusion

13. The Council has suggested a condition requiring the use of matching external materials for the proposed buildings. However, given the variety of materials existing on site and having regard to the details proposed, I consider it necessary in the interests of the character and appearance of the area to control details of these materials. I have therefore amended the suggested wording accordingly. In addition, for certainty, it is necessary that the development is carried out in accordance with the approved plans.
14. Whilst I would draw attention to the recommendations of the bat and bird survey, the protection of nesting birds is addressed by other legislation. As such, I consider that a specific condition in this regard is not necessary in this case.
15. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Napier

INSPECTOR