

Appeal Decision

Site visit made on 4 January 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 11th January 2017

Appeal Ref: APP/P1560/D/16/3161616
55 Oakley Road, Harwich CO12 4QT

- 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 & Mrs D Smith against the decision of Tendring District Council.
 - The application Ref 16/00757/FUL, dated 16 May 2016, was refused by notice dated 9 August 2016.
 - The development proposed is the erection of a garage block.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property comprises a large detached house located on the southern side of Oakley Road and at the western end of a row of detached residential properties. Although the properties are of varying designs or have been extended, their character is well defined by a regular building line, set back from the road frontage, and with open front gardens, most of which are paved and devoid of other structures. The character changes on the opposite side of the road where there are semi-detached bungalows set back behind a secondary access road running parallel with Oakley Road.
4. The appellant accepts that the proposed garage block would be clearly visible but suggests that it would help to provide a sense of enclosure and offer an opportunity to upgrade the area. It is also suggested that no precedent would be set because of the property's unique siting at the end of the row of houses.
5. Whilst I acknowledge that the wide and open nature of the road, together with the set back of properties, does not provide a high level of interest from an urban design point of view, it is nevertheless very much part of the existing character of the south side of Oakley Road. The proposed triple garage block would be a sizeable structure, being approximately 5 metres high and 9 metres in depth, and would also include storage accommodation in the pitched roofspace. Because of its size and bulk and its forward siting where it would

adjoin the front boundary of the property, it would be very prominent in the street scene and would be at odds with the established building line of the immediate area. In my view it would appear incongruous as a result and would cause visual harm to the established character of development on this side of the road. This would be particularly so when approaching from the east where its poor visual relationship with adjoining properties would be particularly apparent, but it would also be prominent when approaching from the west where it would extend well forward of the adjoining tree line and well above the boundary fence. In that respect therefore, I do not regard the site's location at the end of a row of houses mitigates in its favour to any significant extent.

6. I acknowledge the appellant's various references to design guidance in the Essex Design Guide. Clearly such guidance is well founded and based on sound established design principles. However the main purpose of the guidance quoted is towards the creation of new urban space and cannot always be transferred to existing urban areas where character is already established and different considerations might apply. In any event, whilst the proposed garage block would be of sufficient size to appear incongruous in the street scene, it would do little to provide a sense of enclosure to that street, as the appellant suggests, because of the width of the road and set back of the houses at this location.
7. The Council raises no objections from an amenity or parking point of view, nor to any adverse impact on the adjoining public right of way, and having considered those issues at my site visit, I see no reason to reach a different conclusion.
8. For the above reasons, the proposal would harm the character and appearance of the area. It would therefore be contrary to Policies QL9 and QL11 of the Council's local Plan 2007 and paragraph 64 of the National Planning Policy Framework, in that it would not relate well to the site and its surroundings, its scale and nature would be inappropriate to the locality and it would not improve the character and quality of the area. Although Policy QL10 was also referred to by the Council, that does not seem particularly relevant in this instance.
9. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR