
Appeal Decision

Site visit made on 11 July 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 14th August 2017

Appeal Ref: APP/A1530/D/17/3173387

Cavendish House, Coggeshall Road, Dedham CO7 6ET

- 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 K Bygrave against the decision of Colchester Borough Council.
 - The application Ref 162902, dated 18 November 2016, was refused by notice dated 19 January 2017.
 - The development proposed is an attached garage.
-

Decision

1. The appeal is dismissed.

Main Issue

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

Procedural Matter

3. At my site visit, I observed that construction work had begun on a building in approximately the same location as the appeal development. However, it was not possible to tell whether the building works were the same as the appeal development. Therefore, I have assessed this appeal as a proposed development rather than as retrospective.

Reasons

4. Cavendish House is one of a number of detached dwellings along Coggeshall Road and is the last on the western side of the road before countryside to the south. It is one of the largest detached properties in the area in terms of both its height and width. As such, it is prominent in the street scene heading south.
5. The grounds to the south of the property are laid to grass and enclosed by planting and fencing. Although the settlement boundary runs just to the south of the property itself, the grounds have the appearance of a domestic garden. Planning permission was granted at appeal¹ for an extension to the residential curtilage where permitted development rights for structures and means of enclosure were removed. There are clear views across the grounds from the road with no structures visible. As such, the grounds form an open setting to the property and street scene heading south into the countryside.

¹ APP/A1530/W/16/3150749

6. The proposed development would be single storey with sympathetic materials. The plans indicate that it would be narrower in width than a proposal previously dismissed at appeal² for an attached garage and home office/hobbies room. There is some uncertainty over whether the garage could physically accommodate two cars. Nevertheless, it would still be a wide addition to an already wide property. The proposed glazed lobby area between the property and the garage would attempt to break up the overall size and bulk of development. However, the lobby would still be a solid and enclosed structure and prevent a gap being maintained between the property and the garage.
7. Given the domestic nature of the grounds to the south of the property, the development would not encroach into or urbanise the countryside. Any external car parking in front of the garage would not be harmful for similar reasons. However, the development would intrude on the openness of the grounds and would be clearly visible from the road travelling south.
8. As a consequence, the property as extended would be overly wide and overly prominent in the street scene, negatively affecting the character and appearance of the area. I note that there are large garage structures on this section of Coggeshall Road, but they tend to be detached from the main property and do not overly extend their width.
9. The appellants state that they do not wish to implement the detached garage that was given planning permission at the same time as the main property as they do not wish it be located in front of the property. However, the location of the appeal development is different. The appellants also state that the Council previously indicated that an attached garage would be acceptable. They argue that a detached garage would intrude on the open setting to the south in a similar manner. However, it would depend on the specific design of any given proposal. I have assessed this appeal on its own merits, and none of the above considerations outweigh the harm I have identified.
10. In conclusion, the development would have an unacceptable effect on the character and appearance of the area. Therefore, it would not accord with Policies ENV1 and UR2 of the Colchester Core Strategy 2008 or Policies DP1 and DP13 of the Colchester Development Policies 2010. Amongst other things, these policies seek a high standard of design that respects and enhances the character of the site and its surroundings. The development would also conflict the aims of the National Planning Policy Framework which requires good design that responds to local character.

Conclusion

11. For the above reasons and having had regard to all matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR

² APP/A1530/W/16/3150748