



Appeal Decision

Site visit made on 24 July 2019

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/Z1510/W/19/3227522

Moors Farmhouse, Brickhouse Road, Colne Engaine, Essex CO6 2HH

- 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 and Mrs Brooks against the decision of Braintree District Council.
 - The application Ref 18/01764/FUL, dated 25 September 2018 was refused by notice dated 16 January 2019.
 - The development proposed is a garden machinery and classic car collection storage building.
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Decision

1. For the reasons given below, the appeal is dismissed.

Reasons

2. Moors Farmhouse is a substantial dwelling located in a rural area to the north of the village of Colne Engaine. It stands at the south-western end of its large plot close to the junction of Brickhouse Road and Pebmarsh Road. The grounds around the house are laid to garden whilst to the north-east is a large area of mown grassland. On the southern side of this, adjacent to the Brickhouse Road frontage, is a "U" shaped residential annex, workshop and car store. The proposed new building would be located beyond this on an area currently hard surfaced with gravel chippings. This is intended to store garden machinery and vintage cars in association with the Appellants' hobby. The building would be some 29.8 metres in length and 7.1 metres in width and would be able to accommodate about 12 vehicles and a large tractor mower.
3. The new building would be a substantial structure that would be close to and parallel with the Brickhouse Road boundary. My particular concern is with its height, which would be some 3.2 metres to the eaves and 4.6 metres to the ridge. This would significantly exceed the adjoining annexe and the higher eaves level would considerably add to the bulk and massing of the proposed building overall. The Appellants comment that it would be no higher than the cupola on the existing building, but this is a small, decorative feature and the existing annex is relatively low in comparison with what is being proposed. It seems to me that when viewed adjacent to the annex, the appeal development would appear of considerably greater scale.
4. There is a 1.8 metre fence and a field hedge along the boundary with Brickhouse Road, although this becomes more patchy towards the gate that would provide access to the proposed development. In my assessment the new

building would be clearly apparent from the public domain through the gate and gaps in the hedge. In contrast to the existing annex, which has been successfully integrated into its rural surroundings, the new development would appear an overly dominant and intrusive structure in the roadside view. Policy CS 5 in the Council's Core Strategy (CS) seeks to strictly control development in the countryside in order to protect and enhance landscape character and amenity. Saved policy RLP 90 in the Braintree District Local Plan Review sets out criteria to ensure a high standard of design and layout. This includes that the height and mass of new development should be in harmony with the character and appearance of the surrounding area. The appeal proposal would fail to accord with these requirements.

5. The Appellants have referred to other developments that the Council has permitted in the vicinity. There were various additions to the nearby Elm Farm granted in about 2007, including a stable building. The latter has not been constructed to date, but the Appellants' plan shows that it would be set back from the road, to one side of the angled access. I observed the position to be well screened by the hedge along the road frontage. No details of the height of the building have been provided but, in my opinion, it is likely that it would not be a prominent feature as asserted by the Appellants. There is a glamping site to the north-east of the appeal site. Whilst I note that this involves various structures, I do not know the circumstances of this development or the details of the planning permission. Furthermore, it involves a different type of development to the appeal proposal. These developments do not provide justification for the harm that would occur at the appeal site if the appeal scheme were to go ahead.
6. I note that an application for a Lawful Development Certificate has recently been refused. This was for a building close to the main dwelling and the Appellants have the right to make an appeal if they wish to do so. I also note that a new planning application has been submitted for a building in a similar position to the appeal proposal that would be narrower and lower in terms of its ridge and eaves height. However, this is not before me for consideration and it would not be appropriate for me to comment on the merits of this undetermined proposal.
7. The Council has referred to saved policy RLP 18 in the LP and policy CS 9 in the CS. The former relates to residential extensions and the latter relates to the built and historic environment. Neither seem to me to be directly relevant to the appeal proposal. Saved policy RLP 2 refers to development boundaries and apart from the obvious fact that the site is within the countryside, is also not particularly helpful to my determination. The Braintree District Publication Draft Local Plan is currently undergoing examination and, from the information provided, it appears that there are a number of outstanding issues. In the circumstances the emerging document has very limited weight.
8. I have considered all other matters raised in the representations but have found nothing to alter my conclusion that the appeal should not succeed.

Christina Downes

INSPECTOR