



Appeal Decision

Site visit made on 12 August 2019

by L Gilbert BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2019

Appeal Ref: APP/A1530/W/19/3229656

51 Meyrick Crescent, Colchester CO2 7QY

- 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 Chris Walsh against the decision of Colchester Borough Council.
 - The application Ref 190586, dated 1 March 2019, was refused by notice dated 26 April 2019.
 - The development proposed is proposed new four bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. An alternative car parking layout is provided under Appendix 9 of the appellant's Appeal Statement (drawing number PA.004 Revision B). It proposes car parking for the appeal development to be accessed off Berechurch Road and the introduction of a dropped kerb and replacement wall or fencing. The proposed car parking spaces have not been marked out. This drawing is not listed in the original plans, although the appellant says they submitted it during the planning application stage. Nevertheless, the drawing does not indicate the location of each of the proposed car parking spaces and therefore it cannot be established if vehicles must reverse on to Berechurch Road. There is insufficient information to establish whether the amended drawing has overcome the highway safety issues. I shall therefore only consider the original plans provided.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and appearance

4. The appeal site is located at a road junction adjacent to 51 Meyrick Crescent and 6 Berechurch Road. Meyrick Crescent is a one-way residential street, characterised by spacious rear gardens. Berechurch Road is a busier street that contains a mixture of uses including residential, retail and a public house.

Front gardens or driveways provide a stepped back building line along the section of Berechurch Road between Meyrick Crescent and Pownall Crescent that contains the appeal site. Buildings also consistently lie parallel to Berechurch Road along this stretch of the road.

5. The appeal development would occupy garden space presently part of 51 Meyrick Crescent. This garden is enclosed by a low wall and is highly visible from the surrounding streets. The proposed infill development would consist of a two and a half storey detached house that incorporates a row of front and rear dormers. A blank gable ended flank wall would face on to Berechurch Road, with its frontage on Meyrick Crescent. The appeal development would follow the building line of Meyrick Crescent, but would protrude at an angle beyond nearby buildings along Berechurch Road. The combination of the scale and position of the appeal development would appear incongruous and cramped along Berechurch Road. The projecting blank gable ended wall of the proposed development would fail to actively engage with Berechurch Road and the house would appear overly dominant due to its position, height and scale, which would be exacerbated by the front and rear dormers and proximity to the street. It would result in a development that would harm the character and appearance of the area.
6. The appellant has highlighted other residential sites involving sub-division and corner plots. As I do not have all the details about these cases I cannot give them much weight, however, in any event the appeal must be decided on its own merits, having regard to adopted planning policies.
7. Accordingly, I find that the appeal development would harm the character and appearance of the area. It would conflict with Policy UR 2 of the Local Development Framework Core Strategy adopted December 2008, Selected Policies revised July 2014; and Policies DP1 and DP12 of the Local Development Framework Development Policies Adopted October 2010; and Supplementary Planning Document Backland and Infill Development adopted September 2009 (Revised December 2010). These policies seek, amongst other things, for development to be of high-quality design, to respect and enhance the character of the site, its context and surroundings in terms of height, scale, form and massing.

Highway safety

8. Drawing number PA.004 was submitted as part of the original planning application and indicates the proposed car parking layout for both the existing property of 51 Meyrick Crescent and the appeal development. Each have two car parking spaces located at the front of the properties, close to the junction of Meyrick Crescent and Berechurch Road.
9. I noted on my site visit that 51 Meyrick Crescent has an area of hardstanding at the front of the property, which suggests it is currently used for car parking. However, the location of the proposed car parking spaces is problematic, particularly for the proposed house.
10. The proposed car parking spaces for the appeal development are located at the junction of Meyrick Crescent and Berechurch Road. Vehicles would be unable to turn around on site and would therefore have to reverse into or out of these spaces at the road junction. Vehicles would also have to enter or exit the car parking spaces at an angle. Consequently, it would result in the risk of

conflicting vehicular movements and harm to highway safety for both road users and for pedestrians using the footpath.

11. Appendix 7 of the appellant's Appeal Statement highlights there is a new Garrison route that replaces Berechurch Road. Nevertheless, during my site visit I could see Berechurch Road continues to be used by a reasonable amount of traffic and I saw two buses travelling along the road. I visited outside of normal peak flow periods. A new Garrison route does not overcome my concerns with highway safety.
12. Consequently, I find that the appeal development harms highway safety. It is contrary to Policies DP12, DP17 and DP19 of the Local Development Framework Development Policies adopted October 2010 and Supplementary Planning Document Backland and Infill Development adopted September 2009 (revised December 2010). These policies seek amongst other things that access to development should be created in a manner which maintains the right and safe passage of all highway users.

Conclusion

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

L Gilbert

INSPECTOR