



Appeal Decision

Site Visit made on 20 September 2021

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th October 2021

Appeal Ref: APP/A1530/W/21/3270055

The land adjacent to 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 Christopher Walsh against the decision of Colchester Borough Council.
 - The application Ref 202774, dated 4 December 2020, was refused by notice dated 21 January 2021.
 - The development proposed is described as “new 3 bedroom house”.
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Decision

1. The appeal is dismissed.

Main Issues

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

Reasons

Character and appearance

3. The appeal site is a prominent corner plot at the junction of two roads. Surrounding development is principally two-storey houses of mixed character and external finishes, but largely regular in form with consistent widths from front to rear. The proposed dwellinghouse would widen significantly from front to rear, and the narrow front elevation of the house and its trapezoidal form would appear incongruous in the street scene on this prominent plot as a result.
4. My attention has been drawn to several examples of infill residential development in the wider area. The principle of development in this location is acceptable, but the prominent site requires an appropriate design which the appeal proposal fails to achieve.
5. The development proposed therefore conflicts with Policy UR2 of the Colchester Core Strategy 2008 and Policies DP1 and DP12 of the Colchester Development Policies 2010 (the CDP). Collectively these policies require that development respect and enhance the character of the site, its context and surroundings.

Highway safety

6. There is a crossover at the front of the site providing access onto Meyrick Crescent. This crossover would be shared by the existing and proposed houses, with one parking space on-site for the existing house and two for the proposed.

There is sufficient space for three cars to park on-site. However, it is not clear that there is sufficient space for both cars parked at the proposed house to turn on site and leave in forward gear. The site is next to a junction with a main road, Berechurch Road, and Meyrick Crescent is a one-way street with all traffic entering via that junction. The proposed development would be likely to result in an increased number of vehicles reversing into the road near that junction, and an increased likelihood of accidents as a result.

7. My attention has been drawn to permissions granted by the Council. However, little information has been provided regarding most of these developments. The site at Mersea Road is a recent permission, but I note that site is on a straight section of road, even if near a pedestrian crossing and with a junction on the opposite side of the road. The highway safety considerations in that case would therefore have been different to this proposal. These other permissions consequently only carry very limited weight in the determination of this appeal.
8. The appeal proposal therefore conflicts with Policies DP12 and DP17 of the CDP, the criteria of which include that development be guided by high standards of layout and create accesses which maintain the right and safe passage of all highway users.

Planning Balance

9. The development would result in the creation of one new dwelling, supporting the Government's objective of significantly boosting the supply of homes. There is no indication that the Council currently has a shortfall in its supply of deliverable housing land, but this does not diminish the value of new housing.
10. However, the appeal proposal would result in harm to the character and appearance of the area and to highway safety. This cumulative harm would outweigh the benefits of providing one new house, and therefore there are no material considerations to indicate that this appeal should be determined other than in accordance with the development plan.

Planning Obligation

11. The Council has requested financial contributions towards sports, recreation and community facilities. The appellant has referred to a legal agreement made under a previous application. As I am dismissing this appeal for other substantive reason, it is not necessary for me to consider this matter further.

Other Matters

12. The appellant has paid the requested financial contribution to mitigate the impact of the appeal proposal as sought under the Essex Coast recreational disturbance avoidance and mitigation strategy. Had I been minded to allow the appeal, it would have been necessary for me as the competent authority to carry out an appropriate assessment to determine whether this would be sufficient to mitigate any significant effect on habitats. However, as I am dismissing the appeal for other reasons it is not necessary to address the matter further.

Conclusion

13. For the reasons set out above, the appeal fails.

M Chalk

INSPECTOR