
Appeal Decision

Site visit made on 9 August 2022

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022.

Appeal Ref: APP/A1530/D/22/3300778

Cavendish House, Coggeshall Road, Dedham, COLCHESTER, 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 Bygrave against the decision of Colchester Borough Council.
 - The application Ref. 220956, dated 13 April 2022, was refused by notice dated 26 May 2022.
 - The development proposed is extension to existing garage to form home office.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The reasons for refusal refer to emerging local plan policies. The Council has confirmed that on 4 July 2022, it resolved to adopt modified Section 2 of the Colchester Borough Local Plan 2017 – 2033 [LP]. 'Emerging' policies DM13 and DM15 of that document have now been adopted and supersede Policies DP1 and DP12 of the Council's Development Policies 2010 that were cited in the reasons for refusal. The proposal was assessed against the emerging/newly adopted policies in the Delegated report. As such, it has not been necessary to seek further comments from the appellants, who confirmed in their appeal statement that there are not considered to be any particular variations to the policy issues between the two sets of documents.
3. Although the 'relevant policies' section of the Council's delegated report refers to policies and guidance relating to the Dedham Vale Area of Outstanding Beauty (AONB), the Council has confirmed that the site is not within an AONB.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

5. The appeal property is a detached house at the southern end of a stretch of dwellings on the western side of Coggeshall Road. The site is visually prominent due to its position, being the transition between housing in Dedham Heath and the surrounding countryside on this side of the road. A laurel hedge along part of the front boundary provides partial screening, but the dwelling

and its side garage are visible across the gated driveway and above the roadside fence to the side garden. A further outbuilding is under construction in the front garden.

6. The dwelling comprises a number of elements of varying heights, including the double garage to its side, which although detached appears linked to the house by a gated and clad wall. Despite the staggered roof heights, these elements combine to create a property that appears quite wide and prominent in the street scene.
7. Although it would be set back behind the front wall of the garage, the proposed extension would significantly add to the width of an already large property. I acknowledge that the hipped roof form would reflect the roof of the garage to which it would be attached, but it would make this detached building overly large and dominant in relation to the host house. The elongated width of the property would be disproportionate to the prevailing scale of dwellings in the vicinity. This would be contrary to the design aims set out in LP Policy DM13, which amongst other criteria seeks development which is compatible with the scale, appearance and character of the original dwelling, and in scale with its surroundings. Policy DM13 also requires extensions and outbuildings to be subordinate to the original dwelling in terms of design and setting.
8. The appellants have sought to minimise the visual impact of the extension with the hipped roof design, lowered ridge height, the set back position, and lack of openings on the front elevation. The use of matching or contrasting materials has been suggested. However, none of these measures would mitigate the overall size and scale of the addition, which would not appear subservient to the main house or in the street scene.
9. Furthermore, although the side garden of the appeal property is fenced and planted, the proposal would intrude into an open part of the site, and would reduce the sense of space at this point in the street scene. It would diminish the gap between the existing garage and a flat-roofed outbuilding at the southern end of the garden. The appellants advise that substantial soft landscaping has been undertaken, but the existing garage is clearly visible in the street scene, and the proposed extension would be equally so. I appreciate that the site is not within a conservation area or subject of any specific landscape designation or similar protection, but it nevertheless retains some sensitivity due to its countryside-edge location.
10. Attention has been drawn to two previously dismissed appeals, with the latest being for an attached garage¹. The Council's Delegated report includes extracts from the plans for that scheme. Whilst I agree with the appellants that the proposal is markedly different from the earlier scheme, I consider that the cumulative effect of the subsequently approved garage and the proposed extension would be no better in its impact than the dismissed garage and lobby. This proposal creates the same issue as the previously dismissed scheme, that the perception would be of a wide addition to an already wide property. As with the previous proposal, the development would intrude on the openness of the grounds and would be clearly visible from the road travelling south. Whilst not cramped relative to the size of the site, I share the Council's view that there would be a high concentration of built form at the northern end of the plot.

¹ Refs. APP/A1530/D/17/3173387 and 162902

11. I therefore conclude that the proposal would detract from the character and appearance of the appeal property and the street scene. This would conflict with LP Policy DM13, and the aims of LP Policy DM15, which seeks high design standards which respect and, wherever possible, enhance the character of the site, its context and surroundings in terms including layout, architectural approach, scale, form, massing, and proportions.

Other Matters

12. I note that the Parish Council raised no objections to the proposal, and that no comments were made by local residents. However, this is only one aspect to be taken into account in determining the proposal, and would not override the harm which I have identified.
13. The appellants have set out the reasoning behind the home-office, and this can be a sustainable option that reduces unnecessary car travel. Whilst I appreciate this need and benefits, these would not justify an extension of the size, design and location proposed. On the basis of the information provided these factors would not outweigh the visual harm that would arise from this proposal.

Conclusion

14. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR