

Appeal Decision

Site visit made on 10 October 2023

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 31ST October 2023

Appeal Reference: APP/A1530/W/23/3319609

Land at 'Highfield', Newbridge Road, Tiptree CO5 0JA

- 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 M. Nash against the decision of Colchester City Council.
 - The application (reference 221536, dated 17 June 2022) was refused by notice dated 3 January 2023.
 - The development proposed is described in the application form as the erection of a detached one and a half storey dwelling and detached garage.
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Decision

1. The appeal is dismissed.

Preliminary points

2. The application is made in outline, with all matters reserved other than access. The access proposals are to be considered as part of this appeal, therefore.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings, in the context of planning policies for the area.

Reasons

4. The appeal site is located to the east of the built-up area of Tiptree, where Newbridge Road runs into the countryside. There is some sporadic development in the area but the surroundings are predominantly rural in nature. Existing residential and other buildings have a scattered development pattern, spaced out along the road on both frontages, with more open land between them.
5. The appeal site is a substantial plot of land, between 'Highfield' and 'Timbertops', on the south-east frontage of the road. Currently, the site is open undeveloped land (although it is screened by a roadside boundary hedge), creating a conventionally shaped plot with a road frontage.

6. It is now proposed to construct a detached one and a half storey dwelling and detached garage in the gap between the existing houses at 'Highfield' and 'Timbertops'.
7. The 'National Planning Policy Framework' emphasises the aim of promoting sustainable development and it acknowledges the importance of the natural and local environment, recognising the intrinsic character and beauty of the countryside, among other things. It also has the more general aim of "achieving well designed places" in the broadest sense, while making effective use of land and encouraging economic activity.
8. Policies in the Development Plan are also intended to encourage sustainable development, by focussing new construction on the more significant existing settlements and identified growth areas. Policy SG1 of the 'Colchester Borough Local Plan 2017–2033 Section 2' sets out the "Spatial Strategy" for the Borough, making it clear that, in principle, growth should be focussed on the urban area of Colchester. Policy SG7 makes clear the relevance of good supporting infrastructure.
9. Policy ENV1 of 'Section 2' is intended to protect the natural environment and, while Policy OV2 is somewhat open-ended, it nevertheless makes it clear that residential development in the countryside will need to respect the "character and appearance of landscapes", among other things. More generally, Policies in the 'National Planning Policy Framework' and the Development Plan are aimed at creating good design. Notably, Policy SP7 of the 'North Essex Authorities Shared Strategic Section 1 Plan' sets out some "Place Shaping Principles", providing, for example, that new development should respond to local character, to preserve and enhance environmental quality.
10. 'Tiptree Neighbourhood Plan' was adopted in May 2023 and the appeal site does not lie within the settlement boundary for Tiptree (nor is it within a growth area).
11. The proposed new house would be inserted between existing houses and opposite another and it would consolidate a ribbon of frontage development outside the boundaries of Tiptree, since the site is beyond the edge of the built-up area of the settlement. Newbridge Road is a significant transport route and local infrastructure and facilities would be accessible to some degree (as has been pointed out in the appeal submissions) but the proposed development would not be well related to them.
12. Thus, the project would undermine the spatial strategy on which the Development Plan is based and would tend to further suburbanise the surrounding area by consolidating development in the countryside and intensifying the pattern of development, which is rather sporadic at present. The character and appearance of the countryside outside Tiptree would be significantly harmed in my view, while it would be difficult to resist the development of other plots in similar locations, thereby creating more continuous ribbons of development along the frontages.
13. It must be acknowledged that the site is located a relatively short distance from the defined settlement boundary of Tiptree, but I am convinced that the boundary on this part of Newbridge Road is logical. In my view, such a defined boundary helps to preserve the distinction that is to be drawn between the

urban and rural character of different areas and thus it helps to protect the countryside from urban sprawl.

14. The contribution that the appeal scheme would make to economic activity and the additional residential unit that would be created both weigh in favour of the appeal. The scheme would be practicable, with a suitable access from the road. Nevertheless, I am convinced that significant harm would be done to the character of the surroundings and that the Development Plan strategy would be seriously undermined. The benefit of creating a single additional dwelling would not outweigh those objections.
15. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR