

Appeal Decision

Site visit made on 13 February 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2024

Appeal Ref: APP/A1530/D/23/3332512

Littlefield, Priory Road, Tiptree, Essex CO5 0QE

- 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 Ian Hamilton against the decision of Colchester Borough Council.
 - The application Ref 231321, dated 31 May 2023, was refused by notice dated 15 August 2023.
 - The development proposed is construction of 2 bay carport with storage above.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed carport on the character and appearance of the appeal site and the surrounding area.

Reasons

3. The appeal property is a two storey detached dwelling in a residential road in a semi-rural location, with detached dwellings along the same side of Priory Road and open fields opposite.
4. Reference is made to a previous unsuccessful application for a larger but similar form of development to the current proposal¹. While I note the earlier application and decision, this appeal involves a separate proposal which I have considered on its own merits.
5. Policy SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 (2021) requires development to meet high design standards, including that it should preserve and not harm local character. Policy ENV1 of the Colchester Borough Local Plan 2017-2033 Section 2 (2022) states that the Council will conserve and enhance the natural environment, while Policies DM13 and DM15 of the same Plan require development to be compatible with the character and appearance of the host dwelling and not to have an adverse impact on the character of the area.

¹ Ref 220893.

6. Littlefield and the properties on the same side of Priory Road are laid out on a broadly consistent building line, with well-planted open frontages giving the area a verdant character. There are limited examples of detached carports or garages in the street scene. Those that do exist, notably at Spring Cottage and the neighbouring dwelling, Birch Lea, are modest single storey structures that are clearly subordinate to the scale and appearance of the host dwellings.
7. Despite the open frontages along the road, the position of the proposed building, in front of and to one side of the host dwelling, is not unusual in a residential setting. While the footprint of the building is largely dictated by the space needed to accommodate parking for two vehicles, the additional space to the upper floor would result in a building of substantive height and presence. Despite the barn-hipped roof and open frontage, the overall scale of the building, particularly due to the upper floor, would result in a building that would be a dominant feature in this location. The additional bulk created by the extent of the roof space would be accentuated by the dormer window.
8. Its scale combined with its position means that it would not appear subordinate to the host and neighbouring dwellings. Moreover, its disproportionate size in the residential setting would be emphasised by its contrast with the smaller garages within the street scene. Consequently, the carport would appear as an incongruous and uncharacteristic feature in the street scene, which would compete visually with the host dwelling rather than complement its character and appearance.
9. I accept that the building's traditional appearance and materials would be appropriate in the semi-rural setting. While there is substantive planting to the front of the appeal property, this is not sufficient to screen a building of this overall size and height, particularly as some trees and shrubs would need to be removed to accommodate the carport. I acknowledge in this regard the Council's concerns about the effects of the building on natural features. However, any loss of vegetation could be compensated for by replacement planting required by condition.
10. The appellant draws attention by way of comparison to an existing carport further along Priory Road. However, this is not part of the same street scene as the appeal property and I am unaware of the background to this other example being built. I acknowledge that there were no objections to the proposal. However, this is not sufficient reason to set aside the harmful effects found above.
11. Therefore, for these reasons, I conclude that the proposed carport would have an unacceptably harmful effect on the character and appearance of the appeal site and the surrounding area. Consequently, the proposal is contrary to Policy SP7 of the Colchester Borough Local Plan 2013-2033 Section 1 and to Policies DM13 and DM15 of the Colchester Borough Local Plan 2017-2033 Section 2, as described. There is no conflict, however, with Policy ENV1 of the Local Plan Section 2, with regard to the effect on the natural environment.

Other Matters

12. I acknowledge that the appellant may be frustrated by the process leading to the Council's decision in this case. However, this matter is not within the scope of this appeal, which concerns the planning merits of the proposal.

Conclusion

13. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR