

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/23/3333027

The Chestnut Cottage, 131 Colchester Road, West Bergholt, Essex CO6 3JX

- 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 Jay Young against the decision of Colchester Borough Council.
 - The application Ref 231910, dated 12 August 2023, was refused by notice dated 29 September 2023.
 - The development proposed is new 2No. car cart lodge with workspace in loft space and external store to rear. 4No. velux windows to roof slope.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed building 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 of mixed property types.
 4. 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. Policies DM13 and DM15 of the Colchester Borough Local Plan 2017-2033 Section 2 (2022) 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. These requirements are also reflected in the West Bergholt Neighbourhood Plan (2019).
 5. The appeal property shares a similar building line to the line of dwellings to the west with an open area to the front and side and mature trees to the front boundary. The limited examples of ancillary buildings in the street scene comprise single storey garages to the side of dwellings or detached single storey garages close to the road frontage.
 6. The position of the proposed building, in front of and to one side of the host dwelling, is not unusual in a residential setting. The building would be of
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conventional frontage width, to accommodate two vehicles, and would be built of traditional materials. However, the useable space in the roof combined with the storage area to the rear means that this would be a structure of substantive size compared to a conventional garage or carport. This would be apparent from the overall depth and particularly the height presented to the road frontage. The sharply-pitched roof would result in a building some six metres in height that would be a dominant feature in this location.

7. The host dwelling is a substantial detached property which is taller than the proposed building. Nonetheless, the scale of the proposed building combined with its forward position means that it would not appear fully subordinate to the host dwelling. Moreover, its disproportionate size in the residential setting would be emphasised by its contrast with the smaller garages within the street scene. Consequently, the building would appear as an incongruous and uncharacteristic feature, which would compete visually with the host dwelling rather than complement its character and appearance.
8. The mature trees and shrubs to the front boundary would largely screen the building when in leaf. However, during the winter months, as at the time of the inspection, the side profile of the building would be highly visible within the street scene. While the ancillary building would not obscure views of the host dwelling, it would be a significant presence that would detract from the main building's character and appearance.
9. I acknowledge the Council's concerns about the possible effects of the building on the trees and shrubs to the front boundary. 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 existing garages and carports in the surrounding area. However, these appear to be largely single storey buildings and not of the same scale as the appeal proposal. Moreover, most do not share the same street scene as the appeal property.
11. Therefore, for these reasons, I conclude that the proposed building 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, described above. It is also contrary to the West Bergholt Neighbourhood Plan and to the National Planning Policy Framework, which promotes good design.

Conclusion

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

J Bell-Williamson

INSPECTOR