
Appeal Decision

Site visit made on 24 February 2024

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th March 2024

Appeal Ref: APP/Z1510/D/23/3332145

109 Mountbatten Road, Braintree, Essex CM7 9TP

- 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 Keith Sneyd against the decision of Braintree District Council.
 - The application Ref 23/00950/HH, dated 10 April 2023, was refused by notice dated 14th August 2023.
 - The development proposed is described as the construction of kit form car port, to replace existing temporary portable garage.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of kit form car port at 109 Mountbatten Road, Braintree, Essex CM7 9TP in accordance with the terms of the application, Ref 23/00950/HH, dated 10 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: Location plan 1:1250, site plan 1:200 with proposed car port added and 'Atlas Chunky Open' specification sheet.

Main Issue

2. The main issue is the effect of the appeal proposal on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appellant currently has a covered vehicle in the location of the proposed car port which I understand has been stored there for some years. The car port would be sited close to the boundary with the neighbouring property, No 107, which projects significantly forward beyond the front of No 109. As a result of this staggered building line, the car port would be entirely screened by No 107 in views from the east. Views of the car port from the west would be interrupted by a large hedge. In closer views it would be seen against the backdrop of the flank wall of No 107.
4. The appeal property stands on the Fairview Estate which was originally developed as an open plan estate. I observed that there are various structures and boundary treatments in the locality which, to some extent, have gradually

eroded this open plan character. The appellant cites a number of examples of car ports and garages erected on house frontages, both with and without planning permission. The examples provided are for different forms of development and the context of each of the properties is different from the appeal before me which has been determined on its individual, site-specific merits.

5. As the Council states, it is not unusual to see car ports on drives and they are often located to the front of dwellings. In the case of this appeal, the proposed car port would be sufficiently screened by and viewed against the backdrop of the larger flank wall. This would limit its prominence within the street scene. The extent of open frontage remaining around the proposed development would also reduce its visual impact. Overall, I am satisfied that the character of the estate would be retained and the established open plan design principles for the area would not be compromised.
6. Overall, I conclude that the proposal would not harm the character and appearance of the host dwelling, the street-scene or the wider surrounding area. It therefore does not conflict with Policies LPP36 and LPP52 of the Adopted Local Plan, which in summary seek high quality design which respects its surroundings and the similar requirements of the National Planning Policy Framework.
7. For the reasons set out above and having regard to all other matters raised, the appeal is allowed subject to conditions. A condition is imposed which identifies the approved drawings and details for the avoidance of doubt and in the interests of proper planning.

Elaine Benson

INSPECTOR