



Appeal Decision

Site visit made on 4 July 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2024

Appeal Ref: APP/A1530/D/24/3343451

Revdor, 51, Coach Road, Great Horkesley, Colchester, CO6 4AX.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Andrew and Sherry Hodgson against the decision of Colchester City Council.
 - The application Ref is 232830.
 - The development proposed is the erection of a detached cartlodge/garage to the rear of Revdor.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached cartlodge/garage to the rear of Revdor, 51, Coach Road, Great Horkesley, Colchester, CO6 4AX, in accordance with the terms of the application, Ref 232830, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out only in accordance with approved plan Ref No 41-2021-11 P.
 - 3) No external facing or roofing materials shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of those materials have been submitted to and approved, in writing, by the Local Planning Authority. Such materials shall match or complement those used in the existing building and the development shall be carried out only in accordance with the details approved.
 - 4) The building hereby permitted shall be used only as a cartlodge/garage ancillary to the dwelling at Revdor, Coach Road, Great Horkesley and at no time shall the building be occupied as living accommodation.

Main Issues

2. The main issues are the design of the proposed building and the potential for overlooking from its upper windows.

Reasons

Design

3. The proposed building, well to the rear of Revdor, would replace an existing single-storey garage of comparable footprint but would have an upper floor in the space under its pitched roof, lit by three rooflights in its front pitch, and would rise to an overall height of 5.65m.
4. The existing garage is close to a number of single-storey, utilitarian buildings reached via an access lane between the appeal site and No 53 Coach Road and is itself well enclosed within the domestic curtilage of Revdor. Thus, whilst relatively remote from its host dwelling, the replacement cartlodge/garage would not, in my view, appear out of place or scale in context, even with its extra height.
5. The design of the building appears appropriate to its intended garage use, albeit not in keeping with Revdor itself. However, I consider that, being remote from the dwelling, it would make an acceptable design statement of its own, without detriment to the property as a whole.
6. I accept that the building would be large for an outbuilding to a modest domestic home. However, properly judged on individual merit, I consider the scale of the proposed development to be acceptable and its design to be of high quality, making a positive contribution to the local built environment. I therefore regard the proposed building to be compatible with the appeal property overall.
7. It is not clear from the submitted plans with what facing and roofing materials the building would be finished and a condition is necessary to ensure the use of suitable finishes which match or complement the dwelling house.

Overlooking

8. There is some potential for overlooking towards neighbouring properties from the first floor rooflights of the proposed building, in particular towards the front of the dwelling situated at the rear of No 53 Coach Road. However, views would be oblique and would not closely overlook the private amenity area of that property.
9. Moreover, the Appellant confirms that there is no intention of changing the building into habitable accommodation at any stage in the future and offers to accept the condition that the cartlodge/garage would be limited to use ancillary to the dwelling.
10. In the circumstances, given the already developed nature of the residential neighbourhood, I find no planning objection on grounds of overlooking or unacceptable loss of privacy at any other property.

Other Matters

11. I have taken account of every other matter mentioned in the written evidence.
12. I am satisfied that the proposed building would be sufficiently well enclosed by boundary features and remote from other properties to avoid undue overshadowing or adverse impact on their outlook.

13. The drive and parking area to the proposed building is within the appeal site. I see no prospect that the replacement garage would generate significant additional traffic on the lane that runs immediately beside the appeal site or on Coach Road. Notably, there is no objection from the highway authority.

Conclusion

14. For the reasons explained above and subject to the conditions outlined, I consider that the proposed development would be in compliance with the relevant Policies SP7, DM13 and DM15 of the adopted Colchester Borough Local Plan, cited by the Council. These policies together seek a high standard of design and require residential outbuildings to be compatible in scale, appearance and character with their host dwellings and also that neighbouring amenity be protected. All these provisions are consistent with paragraphs 131 and 135 of the National Planning Policy Framework.
15. I therefore conclude that the cartlodge/garage would be in accordance with the development plan as a whole and that this appeal should be allowed.

B J Sims

INSPECTOR