



Appeal Decision

Site visit made on 17 July 2024

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 August 2024

Appeal Ref: APP/A1530/D/24/3337957

4 Tawell Mews, Tiptree, CO5 0QU

- 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 Vincent Wood against the decision of Colchester City Council.
 - The application Ref is 232451.
 - The development is garage extension.
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Decision

1. The appeal is allowed and planning permission is granted for garage extension, at 4 Tawell Mews, Tiptree, CO5 0QU, in accordance with the terms of the application, Ref 232451, subject to the following conditions:
 - 1) The development hereby permitted relates to the following approved plans: PP-12548787v1 (1:1250 location plan), TQRQM2330614418290 (1:200 scale block plan), east elevation (1:50 scale), south elevation (1:50 scale), west elevation (1:50 scale), site layout and proposed layout (1:50 scale), 1268/03 (pile and ground beam plan) and 1268/04 (ground beam reinforcement).
 - 2) The development hereby permitted shall only be used for purposes ancillary to the residential use of the dwelling at 4 Tawell Mews, Tiptree.

Procedural Matter

2. The development has already been carried out.

Main Issues

3. The main issues are the effect on
 - The character and appearance of the area
 - Parking and manoeuvring.

Reasons

4. The appeal site is one of four modern houses served by a small private drive off the main Wilkin Drive located within a modern residential estate. The dwellings are mainly located at the southern end of the drive, with number 4 set to the side (east) of number 3 which is prominently located facing the entrance to the drive. The garage building, which is L shaped and contains a single garage and a residential annex, is set back between these two dwellinghouses behind a paved parking area to the front of the number 4.

Character and appearance

5. The garage extension comprises a pitched roof addition to the front with gable end of ridge height below the main ridge. It does not extend forward of the front elevation of the adjoining dwellinghouse at number three and is predominantly set back behind the dwelling on the appeal site. As a result, it is not visually prominent within the street scene of Tawell Mews and not readily visible from Wilkin Drive with only the upper roof area readily visible. Furthermore, the gable front feature reflects similar gable front designs on adjoining dwellings and is not therefore incongruous within the street scene.
6. The ridge of the garage building is higher than the eaves of the main dwelling, but it has low eaves level and retains a single-storey appearance, albeit does have accommodation at first floor contained within the roofspace. The front extension does not add significantly to its bulk and scale. Given this and its set back position relative to the host dwelling it does not appear overly dominant and is suitably subservient to it.
7. In the above circumstances, I find that the development does not have a harmful impact on the character and appearance of the area. It would thereby comply with Policy SP7 of the Colchester Borough Council Local Plan 2017-2033 Section 1, 2021 (LP1) and policies DM13 and DM15 of the Colchester Borough Council Local Plan 2017-2033 Section 2, 2022 (LP2) which seek high standards of architectural and urban design, development of high quality that responds positively to local character and context and residential outbuildings that are compatible with the scale, appearance and character of the original dwelling, are subordinate to it, in scale with its surroundings and do not adversely impact on the street scene.

Parking and manoeuvring

8. The front garage addition extends towards the parking area to the front of the dwelling. However, the appellant has confirmed that the majority of the area lost to provide the extension was garden area. In addition, photos have been provided to show that the remaining paved parking area is of sufficient size of accommodate a car and a van. At the time of my site visit a car was parked in front of the house to the side of the front garage extension. Adequate room to the front of the garage door remained to provide space for a further vehicle. Whilst this arrangement would likely mean that each car would not be able to manoeuvre onto the drive independently, that is not an unusual arrangement and simply means that the car nearest to the private drive may have to be moved to enable the other to exit. More than adequate space is available within the remaining paved area to the front of the site and within the private drive to allow vehicles to exit safely.
9. Overall, adequate parking and manoeuvring space remains available to serve the dwelling and there is no unacceptable impact on highway safety. The development complies with LP2 Policies DM21 and DM22 which seek to ensure that development is provided with adequate parking and safe, suitable access to the highway for all users.

Other Matters

10. I have been referred to the made Tiptree Neighbourhood Plan 2022-2033 but note that the Council has not cited any policies in its decision notice. I have

reviewed the plan and consider that whilst policy TIP02 relating to good quality design and TIP03 relating to residential car parking are relevant, for the reasons set out above there is no conflict with them.

11. I have taken into account the National Planning Policy Framework but find that for the above reasons the development complies with its policies that seek good design and safe and suitable access.

Conclusion

12. Overall, I find that the development has not resulted in any unacceptable or harmful impacts and it accords with the development plan. Conditions to relate to the approved plans and to ensure that the use of the extended garage building remains incidental to the residential use are necessary in the interests of clarity and residential amenity.
13. For the above reasons I conclude that the appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR