The Planning Inspectorate

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: 14 August 2024

Appeal Ref: APP/A1530/D/24/3338611
Hillside Cottage, Colchester Road, Great Wigborough CO5 7RS

- 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 Cock against the decision of Colchester City Council.
- The application Ref is 232310.
- The proposed development is single storey outbuilding.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site lies on the east side of Colchester Road within a countryside location. The existing two storey dwelling is located in the north-west corner of the site fronting the main road with vehicular access and parking area to the front. A range of single storey outbuildings are located to the rear with associated garden areas. It is part of a small group of residential properties which front the main road, but which are otherwise surrounded by open countryside and which lie some 1.5km to the west of the nearest settlement of Great Wigborough.

4. The central part of the site contains a large pond with grassed 'paddock' both enclosed by post and rail fencing, the eastern part of which provided a separate small, fenced pony paddock. The southern part of the appeal site contains a range of single storey stable / storage buildings and a manege.

5. A track connecting to the fields to the east of the appeal site, which are also owned by the appellants and within which is a private fishing lake, lies between the central area and the stables / manege. To the east of these areas is a parking and turning area, accessed via a gate located just to the south of the dwelling and its parking area. A further entrance to the southern part of the site directly off the main road is indicated on the submitted plans but it was evident at the time of my site visit that this had not been used for some considerable time.

6. The proposed building would be substantial in size and would be located in the open 'paddock' area towards the centre of the site adjacent to the pond. Whilst of single-storey appearance it would be significantly and noticeably

greater in scale and height compared to the existing stable buildings to the south and could not be described as 'modest' in size as suggested by the appellant. Whilst the central and southern parts of the site are screened to an extent by the existing roadside hedge the building would be seen above it. In addition, it would be visible in approaches from the north along Colchester Road.

7. The appellant has clarified that the building would be used for the storage of vehicles and equipment required to maintain the extensive grounds and lake and the appellant's six horses. However, its main front (west) elevation, which would front onto the access and parking area, would be distinctly domestic in appearance with a central pedestrian door and small paned windows either side. Further domestic style windows are proposed in the north and south elevations with the only large 'barn door' opening indicated in the rear elevation with no obvious access to it provided for the vehicles intended to use the building. This opening also has a large glazing feature above which further emphasises the domestic appearance and character. Whilst the use of black timber cladding to the elevations and peg tiles to the pitched roof would reflect the traditional vernacular of the area, the building would appear as an incongruous addition within this open part of the appeal site.

8. Overall, the building would be unduly large and intrusive in this location, detrimental to its open character. Little justification has been provided to demonstrate the need for such a large building nor why it has a domestic appearance rather than a more functional appearance that would usually be associated with such a building and its intended use. A condition to secure design changes as suggested by the appellant would not be appropriate in these circumstances.

9. The proposal would therefore be harmful to the character and appearance of the area. It would conflict with policies SP7 of the Colchester Borough Local Plan Section 1 and policies ENV1, DM13 and DM15 of the Colchester Borough Local Plan Section 2 which seek development that positively responds to its context and respects the character of its surroundings, that conserves and enhances the countryside, and is compatible with the scale, appearance and character of existing buildings, does not result in the overdevelopment of the site and does not result in adverse impact to the appearance of the street scene and character of the area.

10. I have had regard to the National Planning Policy Framework but find that the proposal does not comply with its policies that seek to ensure that development conserves and enhances the natural environment, recognises the intrinsic character of the countryside and achieves good design.

Other Matters

11. The proposal was submitted as a householder application though whether the development is located within the residential curtilage appears to be a matter of dispute between the main parties. However, the issue of the extent of the lawful residential curtilage is not a matter before me and I have therefore determined the application based on the submitted information and my observations whilst on site.

12. The Council also raised concerns regarding the use of the southern access as referred to above, suggesting that it had been previously abandoned / closed

rather than being an 'existing' access as suggested by the appellant. I note that the application does not propose any changes to the existing access arrangements nor has any information been provided to clarify the above, therefore, in view of my findings above, I have not considered the matter further.

Conclusion

13. For the above reasons I conclude that the appeal should be dismissed.

P B Jarvis

INSPECTOR