



Appeal Decision

Site visit made on 6 August 2025

by **P B Jarvis DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/A1530/D/25/3365497

27 Chestnut Avenue, Colchester, Essex CO2 0AL

- 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 Dominic Mackfall against the decision of Colchester City Council.
 - The application Ref. is 250076.
 - The proposed development is erection of a garage beyond principal elevation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on
 - the character and appearance of the street scene.
 - parking provision for the existing property.

Reasons

Character and appearance

3. The appeal site lies in an established residential area. The dwelling on the appeal site is semi-detached and with its attached neighbour is set further back from the road frontage than all the adjoining properties along the eastern side of Chestnut Avenue. Number 26 Ash Grove lies immediately to the south and whilst sited at an angle to the boundary with the appeal site is also located forward of the dwelling on the appeal site. It has a detached garage to the side located along the common side boundary.
4. The long front garden of the appeal site is divided roughly in half by a fence. The proposed garage would be sited forward of this fronting the street. It would be set back about two metres from the front boundary and would occupy around two-thirds of the width of the plot. An existing concrete drive which runs along the southern boundary of the appeal site, and which provides parking for two cars, would be retained to the side.
5. The proposed garage would be sited closer to the street frontage than both the garage on the adjoining site at No. 26 Ash Grove to the south and the dwelling at No. 23 Chestnut Avenue further to the north which both align with the predominant and relatively continuous building line along this side of the street. Whilst the proposed garage would not be unduly high, it would nevertheless, due to its

forward siting on the relatively open part of the front garden close to the road frontage, introduce an incongruous and intrusive building within the street scene.

6. The original building line along the western side of the Chestnut Avenue has been 'breached' through the introduction of a new bungalow which has been built forward of the dwelling at No. 32, directly opposite the appeal site. However, given that it introduced a new dwelling on what is a wider plot, it is not directly comparable to the current proposal, which comprises an incidental building sited forward of the host dwelling. Similarly, an attached single storey addition to the side of No. 25 Ash Close to the south west of the appeal site, does not provide a similar situation, with the host dwelling facing Ash Grove to the south.
7. Overall, I find that the proposed garage would have a harmful impact on the character and appearance of the street scene. It would thus fail to comply with Policies DM13 and DM15 of the Colchester Local Plan 2017-2033 Section 2 (2022) (CLP) which seek to avoid adverse impacts on the appearance of the street scene and character of the area and that development is of a high standard of design that positively responds to its context, and which respects its surroundings in terms of layout and townscape.

Parking

8. In respect of the parking provision for the property, the appellant clarifies that the garage is to be used for the parking of motorcycles, therefore it is not essential for cars to be able to manoeuvre into and out of it, which would be difficult, if not impossible, given its siting and the position of the roller shutter doors on the side elevation.
9. In any event, the siting of the garage would enable the driveway along the eastern side of the plot frontage to be retained and this would be sufficient to allow for the parking of two cars to meet the Council's parking standard.
10. As such, there would remain adequate car parking on site in accordance with CLP Policies DM21 and DM22 which seek to ensure that development is served by parking that meets the most recent local Parking Standards and which provides for access for sustainable modes of transport.
11. I find that there would also be compliance with the National Planning Policy Framework in this regard which seeks to avoid severe impacts on the road network and which minimises the scope for conflicts between all highway users.

Conclusions

12. Overall, whilst the parking provision would be satisfactory, the proposed garage would have an unacceptably harmful impact on the character and appearance of the street scene.
13. I therefore conclude that this appeal should be dismissed.

P B Jarvis

INSPECTOR