



Appeal Decision

Site visit made on 23 September 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2025

Appeal Ref: APP/A1530/D/25/3369672

1 Breewood Cottages, School Lane, Great Horkesley CO2 4BW

- 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 Dan Digby against the decision of Colchester City Council.
 - The application Ref is 250989.
 - The development proposed is the erection of front boundary wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed wall on the site and character of the streetscene.

Reasons

3. Whilst the refusal reasons mention a number of policies, the 2 most relevant policies of Colchester Borough Local Plan are ENV1 and OV2. In brief, these seek to conserve and enhance Colchester's natural and historic environment, countryside and coastline and require that residential development proposals in the countryside, outside defined settlement boundaries, will need to demonstrate that the scheme respects the character and appearance of landscapes and the built environment.
4. The appeal site is one of a pair of semi-detached properties located within the countryside, surrounded by arable farmland. It is at the end of a short linear ribbon of residential properties on the northern side of the road. The properties are set back, away from the highway and benefit from off street parking. The grass verges, hedging and mature trees are typical of the streetscene. The soft landscaping and open frontages are important and distinct features of the area, which create a verdant and spacious feel. Although there are some boundary treatments, these are minor features and reflective of the rural area, but I particularly noted that there is a brick gateway, some distance along the road to the northeast.
5. The proposed boundary wall would comprise brick pillars and metal railings. The top of the pier capping would be at an overall height of 1.6 metres, and metal railings would have an overall height of 1.35 metres. The wall would encompass the width of the frontage and would curve into the site, at the vehicular entry.

6. Owing to its location and width of the plot, the site is highly prominent, being on a bend in a serpentine length of School Lane. Until recently the appeal dwelling and its semi-detached neighbour had a very open frontage, similar to the other 2 pairs in the group, facing across a wide open landscape of arable land. The current situation is that its frontage is enclosed by a timber boarded fence.
7. In the approach to the site from the west, the appearance of a brick wall, with its piers having open railings between, on the apex of the curve, would be a sudden and unwelcome urban intrusion. From the east, it would be hidden by roadside trees and bushes until almost at the boundary, but from both directions it would be an alien feature.
8. As I have already noted in my description of the appeal site and the area in the vicinity, there is an example of a brick wall that forms the entrance to a property, Cherry Blossom Cottage, some distance to the east. However, the situation there is very different. The width of the entrance is limited and the access serves an individual dwelling that has no immediate neighbours, and no open frontages. The appellant's Design and Access Statement includes example pictures of brick walls in the local vicinity and within the Braintree District Council area. I do not find these helpful or truly reflecting the situation at the appeal site or the nature of the proposed front boundary wall.
9. My conclusion is that the proposal would appear discordant on this rural lane. It would fail to enhance the character and quality of the character and appearance of the surrounding countryside. The council fears that it would also set a precedent. If allowed, it might indeed encourage others to follow the example which might well be difficult to resist. It is unacceptable in itself, but repetition would be highly damaging. The appeal proposal would be contrary to the development plan Policies ENV1 and OV2. For these reasons, the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR