



Appeal Decision

Site visit made on 15 December 2025

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 23 December 2025

Appeal Ref: APP/A1530/W/25/3369208

Verge at Via Urbis Romanae, Nr Whitmore Drive, Colchester, CO4 6AL

- 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 Miss Ashleigh Boyce, AMP Clean Energy, against the decision of Colchester City Council.
- The application Ref 251005, dated 9 May 2025, was refused on 4 July 2025.
- The development proposed is the construction and operation of a micro energy storage project.

Decision

1. The appeal is allowed and permission is granted for the construction and operation of a micro energy storage project on the verge at Via Urbis Romanae, Nr Whitmore Drive, Colchester, CO4 6AL, in accordance with the terms of the application, Ref 251005, dated 9 May 2025, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: 01, 02, 04, 05 Rec'd 20.5.25 and 3, 6 Rec'd 2.7.25.
- 3) The development hereby permitted shall not be first used until details of tree and/or shrub planting around the installation and an implementation timetable have been submitted to and approved in writing by the Local Planning Authority. The approved planting shall then be implemented in accordance with the timetable and maintained for at least five years following completion of the planting. In the event that any trees and/or plants die, are removed, destroyed, or in the opinion of the Local Planning Authority fail to thrive or are otherwise defective during that five year period, they shall be replaced during the next planting season in accordance with a specification agreed in writing by the Local Planning Authority.

Main Issue

2. The main issue is the effect of the micro energy storage project on the character and appearance of the street scene.

Reasons

3. The proposal is for the installation of a 200 kW micro energy storage system (a 'Battery Box' or BB) on the wide grass verge on the western side of the A1341, the Via Urbis Romanae, a major road linking the A12 by-pass with the city centre. The function of the BB is to provide a de-centralised and flexible store of electricity that supports local communities by storing electricity from the local grid network when

demand is low or renewable generation is high and returning electricity to the grid when local demand is high or renewable generation low. The BB thus improves the efficiency of renewable energy overall by helping to match intermittent solar or wind power generation with periods of maximum energy use.

4. The BB installation would be about 6.1 m long and 3.9 m wide, a footprint of about 24 sq m, and comprise battery cabinets and associated equipment set in a fenced enclosure about 2.1 m high. The BB would appear as a quite large, bulky and rather utilitarian structure on the roadside verge where it would be readily apparent to large numbers of passers-by and in the outlook from the housing on the other side of the road. However, due to the width of the verge the structure would still be set well back from the road with ample scope for landscaping to screen the facility, both in front and to each side, whilst still allowing access. Indeed, the wide grass verge alongside this stretch of road is featureless and uninteresting and would potentially benefit from enhanced landscaping which is more prominent along other parts of the route.
5. Whilst the structure would comprise a further element of street furniture close to an existing electricity sub-station on the roadside, a site within 50 m of a sub-station is a locational requirement for a BB. Importantly, the Council do not put forward any preferred alternative sites for the facility.

Conclusion

6. Considered overall, the visual impact of the BB, screened by suitable landscaping which could be required by condition, would not be unduly harmful in its street scene setting and would soon become an established and accepted feature of the locality. The limited harm would be significantly outweighed by the public benefits of the proposal in contributing towards the transition to net-zero that was recognised as essential by the Council itself when declaring a Climate Emergency in 2019.
7. For these reasons the proposal would not significantly conflict with Policy SP7 of the North Essex Authorities' Shared Strategic Section 1 Plan 2021 or Policy DM15 of the Colchester Borough Local Plan 2022 (the LP) which require high standards of urban design, the preservation of the quality of existing places and respect for the character of the site and its context. It is however strongly supported by LP Policy CC1 which seeks to secure a low carbon future for Colchester by supporting opportunities for decentralised energy systems. Paragraph 168 of the National Planning Policy Framework also supports the proposal.

Conclusion

8. The Council suggested two conditions should the appeal be allowed and these meet the relevant tests. It is necessary to define the approved plans in the interests of certainty and to require a landscaping scheme and its maintenance to mitigate the visual impact of the installation. It is also necessary to include the standard implementation time limit.
9. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR