
Appeal Decision

Site visit made on 13 December 2016

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 21 December 2016

Appeal Ref: APP/J3530/W/16/3157204

Setterfield, Main Road, Martlesham, Suffolk IP12 4SW

- 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 Mrs J Abbott against the decision of Suffolk Coastal District Council.
 - The application Ref DC/16/0066/FUL, dated 8 January 2016, was refused by notice dated 3 March 2016.
 - The development proposed is severance of garden and erection of a single-storey dwelling (revised submission).
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Decision

1. The appeal is dismissed.

Reasons

2. The main issue is the effect of the proposed development on the character and appearance of the area. The development plan consists of the Suffolk Coastal District Plan and Core Strategy and Development Management Policies of July 2013 (LP). Policy DM7 permits proposals for the sub-division of plots to provide additional dwellings providing they meet certain criteria, including that a cramped form of development out of character with the area or the street scene would not result; and appropriate provision is made for a reasonable size curtilage for the existing and proposed dwellings. Policy DM21 resists proposals that comprise poor visual design and layout or otherwise seriously detract from the character of their surroundings. Criteria listed in the policy include that: (a) proposals should relate well to the scale and character of their surroundings particularly in terms of their siting, height, massing and form; and (b) in areas of little or no varied townscape quality, the form, density design of proposals should create a new composition and point of interest, which will provide a positive improvement in the standard of the built area generally; and (f) attention must be given to the form, scale, use, and landscape of the spaces between buildings and the boundary treatment of individual sites.
 3. Development on the north side of Main Road consists mainly of detached bungalows with some 2 storey houses on spacious plots. A new, more dense development of 2 storey housing has been completed on the south side, but this does not affect the general impression of spaciousness, which is accentuated by a separate access lane running parallel to Main Road serving the appeal property. The appeal scheme consists of a new 2 bed bungalow in a space created in the rear garden. Access would be provided by creating an
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opening in the rear boundary which adjoins a parallel road behind the property, Angela Close.

4. Approximately two thirds of the area of the rear garden would be fenced off to provide the new plot. A distance of about 6 metres would be left between the conservatory of Setterfield and the new boundary. The remaining garden would be substantially smaller than adjacent gardens in the road but would be sufficient for the occupants for recreational purposes. However, the introduction of a new bungalow just under 3 metres beyond the new boundary, which would consist of a 1.8 metre close boarded fence, would appear unusually cramped for the occupants of both properties, and out of keeping in the area.
5. Bungalows lining the north side of Angela Close are on somewhat smaller plots. The character of this road derives largely from its single sided nature, where occupiers look out across open front lawns and the road towards the rear fences and hedges of the mostly large mature gardens of dwellings in Main Road. At the far eastern end a house has been built in a back garden but that is adjacent to the point at which double sided development starts anyway- there is therefore an insignificant effect on character.
6. The appeal proposal would be relatively close to the carriageway with a front garden depth of just over 3.6 metres to the boundary. The master bedroom window and front door would be separated from the carriageway by about 5 metres, which would appear unusually close in this road. More importantly, the new bungalow would be striking in its isolation, there being no other similar schemes nearby. It would be clearly inharmonious in siting and close proximity to the road and the host dwelling behind. In considering this matter, I have taken into account the new dwelling behind No.6 Blacktiles Lane, which has been recently constructed next to a bend near the end of Angela Close. This 2 storey house is close to the carriageway and has limited garden area. It is prominent in the street scene. It serves to illustrate the incongruity and cramped appearance of similar development in this area (unlike No 1A on the opposite side of the road) and does not form a precedent for the appeal proposal.
7. Whilst some other houses in Main Road have sheds and outbuildings in their rear gardens, occasionally with access onto Angela Close, these are clearly ancillary to the main domestic use and are generally low and subservient in character. I appreciate that the appellant is able to take advantage of permitted development rights to build such structures in her rear garden, but even if this was done, which is unlikely, these would also be ancillary to the main use and the suggested fall back position does not form a realistic precedent for a completely separate new dwelling.
8. I conclude on the main issue that the appeal proposal would create an isolated form of cramped development significantly out of keeping with the prevailing spacious character of the area, conflicting with the aims of LP policy DM7 and DM21 particularly (a).

Other matters

9. People using the adjoining rear garden areas would be aware of the activities of neighbouring occupiers in the new dwelling at close quarters. The National Planning Policy Framework (NPPF) seeks a good standard of amenity for all

existing and future occupants of buildings, and policy DM7 resists development that would significantly reduce residential amenity. The kitchen door of the new property would only be about 9 metres away from the conservatory of Setterfield and much of the rear garden, where people would seek to relax, would be within a similar distance. This matter is not decisive, but is an additional concern that adds weight to the distinct impression of cramped development that would be created by this scheme.

10. There is compelling evidence that the supply of housing land in Suffolk Coastal District does not reflect the up to date figure for objectively assessed need, taking into account the likely overall requirement in the Housing Market Area, which includes other local authorities. Policy DM7 is a policy for housing supply, in that it seeks to control infill development which is said to be an important contributor to housing supply. In these circumstances, paragraph 49 of the NPPF says such policies should be considered out of date. Paragraph 14 indicates that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole. The benefit of a single 2 bedroom bungalow are not underestimated in an area where bungalows are a desirable form of accommodation, but the advantages would be substantially outweighed in this case by the serious detrimental impact on the character of the area.

Conclusion

11. For all of the above reasons, the appeal should be dismissed.

Paul Jackson

INSPECTOR