
Appeal Decision

Site visit made on 7 February 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 23rd February 2017

Appeal Ref: APP/E3525/W/16/3162477

5 Beckett Close, Westley IP33 3RA

- 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 Woolley against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/16/1681/FUL, dated 29 July 2016, was refused by notice dated 3 October 2016.
 - The development proposed is new dwelling and garage following demolition of garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of the occupier of the neighbouring property at No. 6 Beckett Close with particular regard to outlook.

Reasons

Character and appearance of the area

3. The appeal site forms part of the garden area at the side of No. 5 Beckett Close (No. 5), a detached two storey dwelling on a corner plot with detached garage at the side of the property. It is situated in a well-established residential cul-de-sac on the edge of the village within a countryside location, typically characterised by large detached properties set back from the road in relatively spacious plots.
 4. To the west and south-east are the garden areas and the outbuildings associated with the adjacent properties. Where outbuildings and other structures exist behind the residential properties, these are very low, small in scale, clearly subsidiary, and have little impact upon the sense of space and openness in the area. The northern boundary of the site is defined by mature hedge, with mature trees and open fields beyond to the north. No. 5 being situated on a corner plot has even more expansive grounds, which add to the open character and appearance of the street scene, which is further enhanced by the presence of mature landscaping and established trees within the surrounding gardens and the open countryside.
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5. The proposal would involve the demolition of the existing garage at no. 5 and the erection of a two storey dwelling with attached garage. The proposal would be of a similar scale and design to the existing dwellings in the area. A new garage would also be provided for No. 5 at the side of the property.
6. Whilst visually the design of the proposed dwelling would be acceptable, the two storey form of the dwelling would nevertheless be substantial and the overall plot size of the dwelling would be different to those typically found in the area. The result would be a development that would appear visually cramped, would compromise the sense of space and openness between dwellings and interrupt the established pattern of development in the area. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from Beckett Close. As such, I consider the development would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the area.
7. I have considered the appellant's statement that the design of the proposed dwellings is intended to reflect the existing properties in the area. Whilst the use of matching materials, fenestrations and the design would assist in integrating the proposal with other properties in the area, these aspects do not overcome the adverse effects outlined above.
8. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area. The development conflicts with policy CS3 of the St Edmundsbury Core Strategy 2010 (CS) and Policy DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (DMP). These policies, amongst other things, seek a high quality design and to ensure that all residential development should maintain the character by utilising the characteristics of the locality and create buildings that have a strong sense of place and distinctiveness. In addition, it would not accord with the Framework that development should seek to secure a high quality of design (paragraph 17); to respect the local character (paragraph 58); and to promote or reinforce local distinctiveness (paragraph 60).

Living conditions of the occupier of the neighbouring property

9. The side elevation of the integral garage of the proposed dwelling would be set back about 1m from the common shared boundary with No. 6. It would be separated from No. 6 by a close boundary fence of about 1.8m high. The detached two storey dwelling at No. 6 currently has uninterrupted views over the open garden areas at the rear of the neighbouring properties that provide space and light between the properties.
10. I have considered the appellant's arguments that the site layout and the design of the dwelling have been carefully considered in order to minimise any impacts on occupiers of the adjacent properties. Whilst these features together with the boundary treatment would reduce the impact of the proposal to some degree, given the overall height, massing and the design of the proposal and the separation distance between the properties, I consider the proposal would dominate the views from the rooms and garden at the rear of No. 6. It would introduce a dominant and enclosing structure in close proximity to the common boundary that would severely restrict the outlook of No. 6.

11. Consequently, I conclude that the proposal would result in harm to the living conditions of the occupier of the neighbouring property at No. 6 with particular regard to outlook. The development conflicts with policy CS3 of the CS and policy DM22 of the DMP. These policies seek, amongst other things, to ensure that new development creates and contributes to a high quality and sustainable environment that protects the amenity of neighbouring residents. In addition, it would not accord with the Framework that seeks to secure a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).

Other matters

12. I have noted the objections raised by Westley Parish Council and from local residents to the proposal. However, in light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR