

Appeal Decision

Site visit made on 18 April 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 4th May 2017

Appeal Ref: APP/T3535/W/16/3162513

4 High Street, Southwold, Suffolk IP18 6AE

- 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 Mr Mark Fielding against the decision of Waveney District Council.
 - The application Ref DC/16/1702/FUL, dated 21 April 2016, was refused by notice dated 16 June 2016.
 - The development proposed is construction of small two-storey dwelling to rear of 4 High Street, Southwold.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to outlook, noise and disturbance, and the safety and convenience of users of the adjacent highway.

Reasons

Living conditions of the occupiers of neighbouring properties

3. The proposal would replace a somewhat unattractive asbestos roofed garage in the rear garden of No 4 with a taller two-storey dwelling. This backyard site is particularly constrained in size which has necessitated the proposal being for a very small, one bedroom dwelling. A close arrangement of traditional cottages is a historical feature of parts of the Old Town conservation area, such as the dwellings set back from the street between Nos 16 and 24, and is integral to the historic charm of this town. The area surrounding the appeal site also features more recent development of a high-density, most notably the terraced housing in Tibbys Way to the south-east.
 4. However, even in the context of a surrounding tight grain of development, this proposal would be exceptionally cramped. The architectural design is intrinsically quite pleasant and of an idiosyncratic nature that Southwold has antecedents for. However, a taller building in this location would detract materially from the level of visual relief currently provided by the open rear gardens to the High Street houses. The new dwelling would have a quite oppressive effect on the outlook from surrounding dwellings, particularly those
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closest at 12 Tibbys Way and Stable Cottage, increasing the feeling of enclosure.

5. An additional dwelling would result in an intensification of the vehicular use of the drive leading to the adjacent parking spaces. The houses at 2 – 12 Tibbys Way back almost directly onto this drive, with only very small back gardens. There is a dwelling on the north side of the appeal site access that abuts directly onto it. The increase in vehicular movements and associated activities arising from the occupation of a new dwelling would increase the level of noise and disturbance experienced by the neighbouring occupiers living nearby.
6. Not every dwelling in this area is either a second or holiday home. Even where a significant proportion are such, this should not lessen the need for planning decisions to heed the core principle of the National Planning Policy Framework (the Framework) to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
7. The scheme has sought to avoid direct overlooking of neighbours through the design and position of the windows, including the blinkered form to that serving the bedroom. However, even such a small dwelling would, in this confined area, decrease the degree of open aspect available to neighbouring occupiers and cause increased noise and disturbance arising from domestic activities and vehicular movements. The backland position of the dwelling would introduce these effects to mainly the more private and secluded rear parts of these neighbouring houses, which face away from the busier main streets, where the impacts would be more significant.
8. This proposal would not protect the amenity of neighbouring occupiers, in terms of loss of outlook and increased noise and disturbance, and so would conflict with Policy DM02 of the Council's Development Management Policies 2011(DMP). The failure to protect local amenity would mean the proposal not comprising the high quality and sustainable design required by Policy CS02 of the Core Strategy of 2009 (CS). However, the proposal would not be further contrary to CS Policy CS11 as this provides for the amount and distribution of housing in the District as a whole.

Safety and convenience of users of the adjacent highway

9. The existing gravelled drive into the site from Field Stile Road is narrow and of single car width only, without the space to pass a pedestrian. There is a wider space in front of the existing garage which would permit a single car to turn and exit in a forward gear. The new dwelling would be set back slightly from the position of the garage and the turning area would provide it a single parking space and retain the other for the Caraway Cottage.
10. The existing houses at the site entrance are sited hard-up to the side of the highway providing limited visibility onto Field Stile Road. The proposal would intensify the use of an access which is of a sub-standard nature. Two vehicles would not be able to park and manoeuvre in the space available which, along with the lack of width for two cars to pass each other along the drive, would create circumstances involving a need to reverse out onto Field Stile Road. With the restricted visibility at the site entrance and a car parking space at the front of the adjacent house at Tibbys Way this would be a hazardous and undesirable manoeuvre to encourage.

11. The appellant believes Field Stile Lane to be lightly trafficked but no vehicle counts are provided and, particularly in the busy holiday season, there would most likely be significant use of this highway, including by cyclists and pedestrians. Safe and suitable access to the proposed dwelling could not be achieved for all people contrary to the requirements of paragraph 32 of the Framework. The scheme would not gain the support of the design principles in DMP Policy DM02 which seek that access to the site does not compromise highway safety and conflict with CS Policy CS02 by not making good provision for access.

Conclusion

12. The proposal would provide a minor benefit through making use of a previously-developed site in a sustainable town centre location. This would make a small windfall contribution to housing supply, lessening pressure to expand into the countryside. The Matchbox's design would add some further architectural whimsicality to the attractively non-standard built character of Southwold. However, these small benefits would be clearly outweighed by the inappropriate nature and location of this proposal and the significant degree of harm caused to the living conditions of surrounding occupiers and to the safe and convenient use of the access onto the adjacent highway.
13. For the above reasons, and having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR