

Appeal Decision

Site visit made on 2 May 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 5th June 2017

Appeal Ref: APP/E3525/W/17/3166945

Glebe Paddocks, Great Saxham, Bury St Edmunds IP29 5JP

- 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 and Mrs D J Moody against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/16/1237/FUL, dated 12 April 2016, was refused by notice dated 27 September 2016.
 - The development proposed is the erection of one, two storey dwelling (including garage) and new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issue(s)

2. The main issues in this appeal are:
 - The principle of development on the site;
 - The effect of the development on the character and appearance of the area.

Reasons

The Principle of the Development

3. The appeal site is part of the front garden of Glebe Paddocks which lies on the edge of a group of dwellings at Great Saxham. The Council's Development Management Policies Document 2015 (DMDP) does not identify a settlement boundary for Great Saxham so the area is defined as being in the countryside for the purposes of the development plan.
4. There is an irregular pattern of development with some houses being set further back from the road than others. To the north of the appeal site the houses on the western side of Hargrave Road form a more or less continuous built up frontage. However, the northern boundary of the appeal site marks a distinct change in character. It is enclosed with a mature hedge and the remainder of the site is laid to lawn with several trees creating an open and verdant character. The appeal site, together with neighbouring properties to the south, therefore lies within an area which is much more open and spacious than the adjoining area to the north.

5. DMPD Policy DM5 is generally restrictive of new development in the countryside, subject to various exceptions. One such exception is small scale residential development of a small undeveloped plot in accordance with Policy DM27. There is no dispute that the appeal site is within a cluster of 10 or more existing dwellings, as required by the first part of that policy. However, the appeal site lies within an open and spacious area which cannot be regarded as being part of a continuous built up frontage.
6. Moreover, the site has a frontage of around 38m and there would be a significant amount of space around the proposed building. In my view this cannot be regarded as a 'small undeveloped plot' in the terms of Policy DM27. Therefore, as a matter of principle, the site does not represent a small undeveloped plot within an otherwise continuous frontage and is not an infill plot as set out in policy DM27 of the DMPD.
7. I conclude that the proposal would conflict with Policy DM27 because it does not relate to a small undeveloped plot and it is not in a continuous built up frontage. It follows that it would also conflict with Policy DM5.

Character and Appearance

8. The proposed dwelling would sit to the front of the existing dwelling and would be constructed of brick and tile. There is a variety of house sizes and styles within Great Saxham and while the design of the dwelling is unremarkable it would not be unduly out of keeping.
9. As stated above, there is a distinct change in the character of Great Saxham as one passes the site and the area becomes more open with generous spacing between properties. The introduction of a dwelling on the site would erode the spatial qualities of this part of Great Saxham resulting in material harm to the character and appearance of the area. Additionally, erecting a dwelling to the front of Glebe Paddocks would in effect result in the host property becoming a tandem dwelling, which would have quite a different character to the majority of Great Saxham.
10. I conclude that the proposal would result in unacceptable harm to the character and appearance of the area. It would conflict with DMPD Policies DM2 and DM22 which seek to protect sense of place and local distinctiveness.

Other Matters

11. My attention has been drawn to a recent appeal decision at Great Barton¹ which related to Policy DM27. However, in that case the Inspector found that the appeal site was in a continuous built up frontage. That is not the case here. Other cases referred to in the appellant's statement were in different local planning authority areas and were determined in the light of policies and facts particular to those appeals. None of these decisions alter my conclusions in this case.
12. The construction of a new dwelling on the site would lead to short term economic benefits and there would be some social benefits arising from the small increase in housing. However, this does not outweigh the conflict with the development plan that I have identified in relation to the two main issues. The Council's first reason for refusal refers to Policy DM1 which states that the

¹ APP/E3525/W/15/3139957

Council will take a positive approach reflecting the National Planning Policy Framework (the Framework). Given the clear conflict with the development plan that I have identified, this is not a case where the Framework indicates that permission ought to be granted.

Conclusion

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

Graham Wyatt

INSPECTOR