
Appeal Decision

Site visit made on 27 June 2017

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 2 August 2017

Appeal Ref: APP/D3505/W/17/3172532

2 Kiln Drive, Great Cornard, Sudbury CO10 0DW

- 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 G Birch against the decision of Babergh District Council.
 - The application Ref B/16/01287/FUL/MECO, dated 20 September 2016, was refused by notice dated 3 January 2017.
 - The development proposed is a single storey dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr G Birch against Babergh District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

Character and appearance

4. The proposal is for a single storey two bedroom bungalow in the rear garden of No 2 Kiln Drive. No 2 forms part of a block of pairs of semi-detached houses which front onto Kiln Drive, Corneth Crescent and Pot Kiln Road in a well-established residential area. The layout of the block is particularly spacious with the semi-detached houses each having a wide frontage and generous front and back gardens, the latter backing onto a service road. This provides rear access to the houses and in some cases is actively used to reach parking spaces behind the houses instead of having spaces to the front.
5. The back gardens adjoining the rear service road are uniformly spacious, both wide and deep, with tall fencing and hedges forming their rear boundaries on each side. The single track road is hard surfaced but has no footways or lighting, and with a bend close to the entry point on Kiln Drive forms a visually enclosed enclave out of sight from the surrounding roads.
6. The proposal would involve a modest low profile bungalow to the rear of No 2 with two parking spaces in front accessed from the service road. Whilst discreetly located away from public view within the block of semi-detached

houses, this would introduce a one-off, incongruous form of development into the service road area. An individual bungalow in this setting, albeit modest in appearance, would appear unrelated to the surrounding pairs of semi-detached houses and consequently a discordant feature in its context. It would be the only dwelling fronting the service road rather than having rear access from it.

7. In addition, by subdividing the existing plot both the new plot and that retained by No 2 would be significantly smaller than the average in the block of houses concerned. This would also be out of character in the area.
8. The appellant draws attention to No 29 Corneth Crescent, a detached house recently built on former garden land on the corner of Corneth Crescent and Kiln Drive. However, this house fronts onto Corneth Crescent alongside No 28 and only has rear access from the service road in the same way as the other semi-detached houses which back onto it.
9. The appellant also draws attention to a bungalow built in a backland position to the rear of No 5 Kiln Drive opposite the entrance to the service road. However, this bungalow occupies an individual, significantly larger site and is surrounded by back gardens on all sides. It also shares a wide, relatively short driveway with No 5 as opposed to fronting onto a long rear service road which provides access to a number of properties. The circumstances surrounding the bungalow can therefore be distinguished from the appeal proposal and do not amount to a comparable precedent in support of the scheme.
10. For these reasons the proposal would cause significant harm to the character and appearance of the area in conflict with Policy CS15 of the Babergh Core Strategy & Policies 2014 and Policies CN01 and HS28 of the Babergh Local Plan 2006. These require development to respect local context and character, be of appropriate scale and form for the location and not to be out of keeping with adjacent and nearby dwellings.

Conclusion

11. The proposal would make good use of the land and provide an additional low cost dwelling with important social and economic benefits for the area. It is also appreciated that the proposal would provide very suitable and convenient accommodation for the appellant's elderly relatives. However, for the above reasons the proposal would conflict with the character and appearance of the area and consequently should not go ahead.
12. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR