
Appeal Decisions

Site visit made on 4 July 2017

by Zoe Raygen Dip URP MRTPI

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

Decision date: 8 August 2017

Appeal A Ref: APP/D3505/W/17/3170664

12 Palfrey Heights, Brantham CO11 1SE

- 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 & Mrs Steve Ranson, ABDS against the decision of Babergh District Council.
 - The application Ref B/16/01482/FUL/JAPL, dated 31 October 2016, was refused by notice dated 12 January 2017.
 - The development proposed is semi-detached bungalow on severanced garden of 12 Palfrey Heights.
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Appeal B Ref: APP/D3505/W/17/3170666

13 Palfrey Heights, Brantham CO11 1SE

- 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 Ms Keyna Mullaney, ABDS against the decision of Babergh District Council.
 - The application Ref B/16/01483/FUL/JAPL, dated 31 October 2016, was refused by notice dated 11 January 2017.
 - The development proposed is semi-detached bungalow on severanced garden of 13 Palfrey Heights.
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Decision

1. Appeal A is dismissed and Appeal B is dismissed.

Main Issue

2. The main issue on both appeals is the effect of the proposal on the character and appearance of the area.

Reasons

3. Palfrey Heights forms a square of similar, semi-detached two storey housing surrounding a central grassed area. Most of the pairs of houses are linked at ground floor by single storey structures. The regular design of the houses, together with the gap between the first floor of the pairs of dwellings and the consistent set back from the road provides an open, uniform character and appearance to the area. Most of the plots are long and thin and the substantial rear gardens contribute to the openness of the area providing separation to the dwellings to the rear on Pine Close.
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4. Nos 12 and 13 Palfry Heights each form one of a separate pair of semi-detached houses in the north east corner of the square. Being corner properties their plots have an irregular shape. The appeal sites form part of the rear garden and access of each property creating two plots to the rear of the properties which would accommodate a pair of semi-detached bungalows. The driveways of both properties would be widened to provide off-road parking for the occupiers of Nos 12 and 13.
5. The introduction of two plots to the rear of Nos 12 and 13 would significantly erode the openness of the gardens and the degree of separation between the new and existing dwellings on Pine Close. I accept that separation distances to properties within Pine Close may be sufficient to ensure that the bungalows would not cause harm to the living conditions of existing residents and I note that the Council has not refused the application on these grounds.
6. Nevertheless, the submitted layout plan shows bungalows that would fill most of their individual plots and consequently be very close to their respective site boundaries. Furthermore, the space to the rear of the proposed dwellings would be limited in comparison to surrounding properties. As a result the size and position of the plots would be at odds with the linear character of its neighbours and not large enough to match the character of plot sizes on Palfry Heights.
7. There is an existing high close boarded fence to the rear of the proposed plots, together with some single storey outbuildings which are currently visible. However, the proposed bungalows would be of a much larger scale than the outbuildings. Furthermore, whereas domestic outbuildings and fencing may reasonably be expected to be located in the rear gardens of houses, my attention has not been drawn to any other examples of residential accommodation in rear domestic gardens in the surrounding area. The proposed bungalows would therefore be incongruous structures which, due to their scale and massing would be particularly visually obtrusive.
8. I noted that the land within the appeal sites falls away towards the north and the east. Nevertheless, given the significant gap between Nos 12 and 13, providing views through to the appeal site, and the central position of the proposed bungalows, this would not be sufficient to effectively limit views of the bungalows from public vantage points within Palfry Heights.
9. My attention has been drawn to a new dwelling that has been constructed to the south of 1 Palfrey Heights and a first storey extension above the original single storey element of 36 Palfrey Heights. However, given the degree of uniformity of the remaining properties within the area, the limited number of alterations to the original form and layout are not sufficient to alter the overall character and appearance of the area and therefore justify the appeal proposal.
10. For the reasons above I conclude that the proposals would be harmful to the character and appearance of the area. Both proposals, would therefore, be contrary to Policy CS15 of the Babergh Local Plan 2011-2031 Core Strategy and Policies 2014, CN01 of the Babergh Local Plan Alteration No 2 2006, paragraph 56 of the National Planning Policy Framework (the Framework) and the environmental dimension of sustainable development contained within the Framework. These require that development is of high quality design that protects and enhances the built environment, respects local context and

character and pays attentions to scale, form and nature of adjoining development and the environment surrounding the site.

Conclusion

11. For the reasons set out above, having had regard to all other matters raised, I conclude that the appeals should be dismissed.

Zoe Raygen

INSPECTOR