



Appeal Decisions

Site visit made on 3 July 2019

by E. Brownless, BA (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 25th July 2019

Appeal A Ref: APP/W3520/W/19/3221424

Land to rear (north) of 20 Station Road, Claydon, IP6 0HT

- 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 Sturgeon Builders against the decision of Mid Suffolk District Council.
 - The application Ref: DC/18/01889 dated 30 April 2018, was refused by notice dated 15 August 2018.
 - The development proposed is the erection of a one-bedroom starter home bungalow with associated landscaping.
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Appeal B Ref: APP/W3520/W/19/3221425

Land to rear (north) of 20 Station Road, Claydon, IP6 0HT

- 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 Sturgeon Builders against the decision of Mid Suffolk District Council.
 - The application Ref: DC/18/04745 dated 28 October 2018, was refused by notice dated 12 December 2018.
 - The development proposed is described as 'the erection of a one-bedroom starter home with associated landscaping (re-submission of previous application)'.
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Decisions

Appeal A Ref: APP/W3520/W/19/3221424

1. The appeal is dismissed.

Appeal B Ref: APP/W3520/W/19/3221425

2. The appeal is dismissed.

Procedural Matter

3. As set out above, this decision relates to two appeals. The appeals relate to the erection of a single dwelling within the appeal site. Given that the appeals are so closely related in all respects and to avoid duplication, I have dealt with both appeals together in one decision letter.

Main Issues

4. The main issue common to Appeal A and Appeal B is the effect of the proposals on the character and appearance of the area.
5. An additional main issue relating to Appeal A is the effect of the proposal on highway safety.

Reasons

Character and appearance – Appeal A and Appeal B

6. The appeal site previously formed part of the rear garden to No. 20 Station Road, as evidenced in the photographs provided by the appellant. No. 20 faces Station Road, however, by reason of its position at the junction with St Peters Avenue, it forms one of the first dwellings that leads to other similar types that lie beyond it along St Peters Avenue and St Peters Close. Dwellings are typically semi-detached two-storey properties that share common characteristics of housing type and style. They are well spaced and possess large rear gardens. Taken in combination with other areas of open space, the area has a pleasantly spacious and evenly-arranged appearance.
7. The appeal site is presently severed from No. 20 by a close boarded fence and presents as an open area of grassland together with an access driveway. A garage is positioned towards the common boundary with No. 20. This area is in private ownership separate to that of No. 20 and has no formal designation as open space. Whilst it has a slightly unkept appearance, the appeal site provides separation and an important visual break between the dwellings of St Peters Avenue and St Peters Close. This degree of spatial separation would be harmfully eroded as a consequence of the proposals.
8. The proposals would introduce a modest-sized dwelling with a small sized rear garden. The majority of the front garden would consist of hardstanding for parking. Consequently, it would differ from nearby dwellings insofar as they are typically two-storey, semi-detached and are set back from the road with large gardens to the rear.
9. Whilst the appellant has drawn my attention to other bungalows within the locality, I observed that these were located towards the end of St Peters Avenue where the density of dwellings and pattern differs from this first part of the street. Other bungalows positioned at St Peters Court are set back from the main highway behind green open spaces that add to the spacious character of the area. As such, the proposals would appear out of keeping and at odds with the prevailing character and pattern of development.
10. Furthermore, by reason of the constrained size of the appeal site, the proposals would appear unduly cramped. Thus, both the proposed starter home and the bungalow would appear as prominent and discordant additions to the street scene. This effect would be particularly conspicuous given the position of the land at the junction of St Peters Avenue and St Peters Close.
11. Accordingly, I conclude that the proposals would fail to preserve the character and appearance of the area and therefore it would not accord with Policy CS5 of the Mid Suffolk Core Strategy Development Plan Document (2008), Policy FC1.1 of the Mid Suffolk District Core Strategy Focused Review (2012) and Policies H3, H15 and H16 of the Mid Suffolk Local Plan (1998)(LP). Among other things, these policies seek high quality design that conserves or enhances the local character of different parts of the district. In addition, the proposals would be contrary to similar provisions of the National Planning Policy Framework (the Framework) that requires high quality design.

Highway safety – Appeal A

12. The appeal site lies on the corner of the junction of St Peters Close with St Peters Avenue and opposite the entrance to St Peters Court. At the time of my visit I observed these roads to be in fairly regular but light use and notwithstanding the availability of private driveways and designated parking bays, it was evident that there was some limited demand for on-street parking in the vicinity.
13. The constrained size of the parking area means that a vehicle would be unable to enter and exit the appeal site in a forward gear. Notwithstanding the existence of other driveways nearby, the proposed access is located much closer to the junction and manoeuvring vehicles would be likely to have to reverse into the highway. Taken together with the additional hazard caused by parked vehicles obstructing sightlines, this would pose an increased risk to passing traffic and would prejudice highway safety.
14. Furthermore, the existence of dense vegetation along the side boundary of the neighbouring dwelling at the back edge of the footway has the effect of limiting sightlines along St Peters Close. As such, a vehicle would need to edge a considerable way into the footway to achieve a clear view of oncoming traffic. Consequently, there would be greater potential for vehicle and pedestrian conflict, particularly for vulnerable groups such as children and the elderly and those with mobility issues or the blind.
15. Notwithstanding that the proposal makes use of an existing highway access, this leads to a garage that by reason of its position towards the rear of the site would allow for a vehicle to turn and egress the site in a forward gear.
16. Therefore, I conclude that this bungalow scheme would be detrimental to highway safety and thus conflicts with LP Policies T9 and T10 insofar as these require development to provide safe access to and egress from a site. In addition, the proposal would conflict with the provisions of the Framework which require development not to cause an unacceptable impact to highway safety and to demonstrate safe and suitable access to the site.

Planning balance and conclusion

17. Reference has been made to another appeal decision¹ in support of this case. However, there is little evidence before me relating to the particular circumstances of that case and whether the circumstances are therefore comparable to these appeal proposals. As such, a comparison is of limited relevance in this instance and I have considered the appeals before me on their individual planning merits.
18. I note the appellant's view that the appeal site is sustainably located within the defined settlement boundary of Claydon where the principle of infill development is acceptable, subject to other relevant considerations. In addition, that the proposals would make good use of urban land and remove an unsightly garage building. However, any environmental benefit would be minor, and the provision of one additional dwelling would make only a modest contribution to housing supply.

¹ APP/W3520/W/16/3163111

19. I have taken into account the appellant's desire to build a contemporary starter home with a high-quality low energy design incorporating high levels of insulation. However, these considerations do not outweigh the harm I have identified above.
20. I have had regard to the proposals providing an adequate amount of outdoor and internal space with sufficient parking provision and no identified drainage issues. However, the absence of harm is a neutral factor, neither weighing for nor against the proposals.
21. The officer's report sets out that the Council are currently able to demonstrate a five-year supply of deliverable housing sites. This is contrary to the appellant's position. However, there is no substantiated evidence before me on this matter. Assuming the Council was unable to demonstrate a five-year supply of land for housing, and giving weight to the presumption in favour of sustainable development set out in paragraph 11 of the Framework, the adverse impacts of both proposals would still significantly and demonstrably outweigh the small benefits identified from either of the proposed single dwellings.
22. For the reasons given above and taking all matters raised into consideration, I conclude that Appeal A and Appeal B should be dismissed.

E Brownless

INSPECTOR