



Appeal Decision

Site visit made on 6 August 2019

by David Wallis Bsc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal Ref: APP/W3520/W/19/3229613

54 Heather Close, Thurston, Bury St Edmunds IP31 3PX

- 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 Bliss against the decision of Mid Suffolk District Council.
 - The application Ref DC/18/04911, dated 6 November 2018, was refused by notice dated 18 December 2018.
 - The development proposed is new dwelling and associated garage, together with new garage and access to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - The character and appearance of the area;
 - The living conditions of future occupiers of the dwelling with regard to external space provision;
 - Highway safety.

Reasons

Character and appearance of the area

3. Heather Close is characterised by detached chalet bungalows that are regularly spaced, typically filling the width of their plots with small gaps in between each property. However, properties have deep rear gardens, which provide for a spacious character and appearance. No 54 has a proportionately larger side gardens than others in the area, a consequence of having a shorter rear garden due to the layout of No 55. Whilst this makes No 54 different to other properties, the overall amount of garden space is broadly similar and reflects the spacious nature of the area.
4. The proposed development, whilst having a plot width reflective of the local area, would provide little garden space to the rear and sides of the development. This would be visibly irregular and uncharacteristic of the spacious nature of Heather Close. The result would be a cramped appearance

when viewed from the road and a development out of keeping with its surroundings.

5. I note the appellant has revised the scheme following the previous appeal decision on this site to reduce the footprint of the proposed dwelling. Whilst this may have increased the amount of garden space available, it does not bring the size or shape in line with the prevailing pattern of development in the locality. The proposal remains at odds with this established character.
6. In conclusion, the proposed development would be significantly harmful to the character and appearance of the surrounding area. It would conflict with Policies GP1, SB2, H13, H15 and H16 of the Mid Suffolk Local Plan 1998 (Local Plan), Policy CS5 of the Mid Suffolk Core Strategy 2008 and Policy FC1.1 of the Mid Suffolk Core Strategy Focused Review 2012. Amongst other things, these policies seek development that maintains and enhances the character and appearance of the district.

Living Conditions for future occupiers

7. There do not appear to be any local standards for the design or size of external space for residential development. The garden for the proposed dwelling would provide some space for lawn, sitting out, clothes hanging and a patio. However, the quality of any external space is dependent on it being of a practical and useable size.
8. In my view, the size and shape of the site as identified above, coupled with the enclosure of the space by fencing, would give a very limited and constrained garden area. The limited space would not provide satisfactory living conditions to future occupiers, being of poorer quality than the external spaces enjoyed by occupiers of existing properties on Heather Close.
9. In conclusion, there would be harm to the living conditions of future occupiers of the proposed development in terms of external space provision. The development would not accord with Policy H13 of the Local Plan which seeks a high standard of design and layout for new housing.

Highway Safety

10. Heather Close is a narrow road. The near 90-degree bends in the road in close proximity to the site make high speeds highly unlikely. Most properties have off-street parking. The road is punctuated with regular passing bays. However, it is likely that the passing bays would be subject to parking pressures at evenings and weekends given that there are no evident restrictions on their use.
11. The bay to the front of the appeal site is large enough to accommodate two vehicles. The proposed development, utilising the bay for access, would reduce this parking capacity to one car. The displaced parking from the bay could result in an additional vehicle parked on the street obstructing the road and/or pavement, but on its own would be limited in its effect. By virtue of traffic being unlikely to travel at great speed or frequency, other road users would have time and space to pass a parked vehicle without significant risk to their safety. There is no certainty that any displacement of parking here would cause dangerous parking behaviour elsewhere.

12. In the event of a vehicle being parked in the southern half of the bay, the effect on visibility for vehicles leaving the proposed development would be no worse than the existing visibility for vehicles leaving No 54 with a vehicle parked in the northern half of the bay.
13. The proposed development would not prevent off-street parking at No 54 despite the loss of its existing garage and its relocation to the north of the existing bungalow. I note concerns about the effects of construction vehicles on highway safety, but such effects could be carefully managed and would be temporary.
14. Concluding on this issue, the proposed development would not cause a significant harm to highway safety. Thus, it would accord with Policy T10 of the Local Plan which, amongst other things, seeks the provision of safe access to and egress from the site, and safety for pedestrians and traffic.

Other Matters

15. The appellant refers to an example of housing development allowed near to the appeal site, albeit in different circumstances to the appeal site. Whilst having regard to this, I have considered the appeal proposal on its own merits and found conflict with the Development Plan.
16. It is noted that a pre-application process was followed. It is however recognised that the advice given is not a formal decision of the Council and I can only give very little weight to this accordingly.
17. The Council reported not having a five-year land supply during the application process but claim to have so in the appeal documents. The appellant refers to a long history of undersupply. I have no substantive evidence from either party on this matter to make an informed decision. I note the various benefits the appellant raises in terms of the site's accessibility, proximity to services and public transportation as well as the proposal's contribution to the local economy, which are not disputed by the Council. Any economic and social benefits are modest due to the small-scale nature of the development.
18. Even if this were a case that turned on whether a five-year supply could be demonstrated, taken cumulatively, the benefits of the development do not outweigh the harm that has been identified.

Conclusions

19. Whilst the proposed development would have an acceptable effect on highway safety it would cause harm to the character and appearance of the area as well providing unsatisfactory living conditions of future occupiers. I have also taken into account the previous appeal decision on this site and the conclusions are consistent. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

David Wallis

INSPECTOR