The Planning Inspectorate

Appeal Decision

Site visit made on 12 August 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2019

Appeal Ref: APP/D3505/W/19/3226100
10 Sulleys Hill, Raydon, IP7 5QQ

- 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 Lester De Silva against the decision of Babergh District Council.
- The application Ref DC/18/04442, dated 5 October 2018, was refused by notice dated 20 December 2018.
- The development proposed is demolition of existing dwelling house and erection of replacement single dwelling with detached garage and annex.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area, including the Dedham Vale Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site is located within the village of Lower Raydon, within the AONB. In accordance with paragraph 172 of the National Planning Policy Framework (the Framework) I have given great weight to the need to conserve and enhance landscape and scenic beauty in the AONB in determining this appeal.

4. The appeal site comprises a large, broadly rectangular plot that slopes downwards away from Sulleys Hill into the Brett Valley. There is an existing detached two-storey house on the site which has fallen into disrepair. The existing house is set back from the road, and the difference in levels is such that the ridgeline of the house is below the road level.

5. Planning permission has previously been granted by the Council for the demolition of the existing house and erection of a replacement dwelling in its place (Ref: B/15/00492). While the permission has now lapsed this approved scheme is a material consideration in determining this appeal.

6. The proposed house would be visually distinct from the surrounding area, with a contemporary design set across four storeys and a tiered flat roof. It would be finished primarily in white render and black zinc. Surrounding properties within Lower Raydon are more traditional in design, with those in the immediate vicinity of the site being 1.5 or 2 storeys in height with pitched

roofs. The appeal site borders open land to the east and south, with the plot being at the end of a row of houses with gardens extending down the side of the valley.

7. The proposed house would be set back from the road so that its greater mass would not be a prominent feature in the Sulleys Hill street scene. This is similar to the existing relationship, but the proposed house would be much larger and, when viewed from the rear, much more prominent due to its larger size than any neighbouring dwelling.

8. During my site visit I viewed the appeal site from a number of points in the local area. The appeal site is well-screened by mature trees from some angles, but the existing house is clearly visible from others, including from the south across the valley. While such views are from a significant distance, the proposed house would be a large building finished primarily in white render with the rear elevation extensively glazed. As a result of the scale, materials and contemporary design the proposed house would stand out even alongside the neighbouring properties. Its size and position at the end of the row of houses and at a different level to those on neighbouring plots would mean that from nearby viewpoints it would not be seen within the context of the group, but rather as a separate building. I consider that this would increase its prominence within the wider area, especially in views from the public footpath that runs along the south boundary of the site.

9. The landscape assessment submitted with the appeal shows the existing site in its wider context, and suggests that the site would be well screened by existing and proposed landscaping. I find this to be of some use, but its helpfulness is diminished by the use of an inaccurate map to clearly identify the area from which each viewpoint is taken. Furthermore, colour visualisations of the proposed development show the house in its immediate context, but do not provide wider views of the site with the proposed house in place.

10. The site is visible in long views from within the valley and from the public right of way that passes to the south. The importance of the landscape and scenic beauty of the AONB is such that, for a development of this size and potential prominence, it must be clear that the development would conserve and enhance the landscape and scenic beauty of the AONB.

11. In the absence of sufficient information to show that this would be the case, the proposed development would result in harm to the character and appearance of the area, contrary to policies CS1 and CS15 of the Babergh Local Plan 2011-2031 Core Strategy & Policies (Part 1 of New Babergh Local Plan) February 2014 and CN01, CR02 and HS05 of the Babergh Local Plan Alteration No. 2 June 2006. Together, these policies seek to achieve sustainable development and conserve and enhance the landscape and scenic beauty of the Dedham Vale AONB and I find that they are broadly consistent with the requirements of the Framework. Policy CR02 of the Local Plan is not entirely consistent with the Framework, and therefore I have afforded it reduced weight in determining this appeal, but this does not alter my decision.

12. I have had regard to the previously approved development on this site noted above. However, that permission has now lapsed and, given the issues that I have identified, it does not persuade me to find differently on the main issue in this appeal.

Other matters

13. My attention has been drawn to other decisions made by the Council in the vicinity of the appeal site. However, I am not in possession of the full details of these cases, and in any event each case must be determined on its own merits, which I have done here.

Conclusion

14. In accordance with the requirements of national policy as set out in paragraph 172 of the Framework, I have given great weight to the need to conserve and enhance the landscape and scenic beauty of the Dedham Vale AONB. The proposed development would be a large and prominent addition to the landscape that would cause harm to the character and appearance of the site and surrounding area.

15. I therefore dismiss the appeal.

M Chalk

INSPECTOR