



Appeal Decision

Site visit made on 20 January 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/F3545/W/19/3236562

9 Glebe Close, Ingham IP31 1NL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Ms Mairead Geaney against the decision of West Suffolk Council.
 - The application Ref DC/19/1273/OUT, dated 10 June 2019, was refused by notice dated 27 August 2019.
 - The development proposed is described as "outline permission for a residential property to be built in a residential garden".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline form with all matters reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans as illustrative only.
3. On the 1st April 2019 St Edmundsbury Borough Council was dissolved and along with Forest Heath District Council became a new non-metropolitan district council known as West Suffolk Council. The development plans for the merged local planning authority remain in place for the former area of St Edmundsbury Borough Council until such a time as they are revoked or replaced. It is therefore necessary for me to determine this appeal with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

Main Issues

4. The main issues are:
 - whether sufficient information has been provided to show that safe and suitable access to the site and appropriate off-street parking can be provided;
 - the effect on the character and appearance of the street scene and area; and,
 - the effect on the living conditions of neighbouring occupiers, with reference to noise and disturbance having particular regard to Nos 9 and 10 Glebe Close.

Reasons

Access and Parking

5. The appeal site is garden land to the side of the host property, No 9 Glebe Close. Vehicle access would be via the driveway to No 9. The red line on the submitted drawings only includes the driveway and side garden, and there is no indication in the evidence before me that the appeal site and No 9 would necessarily remain in the same ownership.
6. I am satisfied that the appeal proposal could provide safe and suitable access onto the highway for a single dwelling, as the existing access is used for this purpose. I also consider that there is enough space within the appeal site to provide parking and turning space for a single dwelling. However, no information is provided regarding vehicle access or off-street parking provision for No 9. From the evidence before me it appears that vehicle parking associated with No 9 would take place on the street, and while the appellant has suggested that the Council could have sought additional information, none has been provided with this appeal to clarify this point.
7. Glebe Close is a narrow street with a small turning head in front of Nos 8 and 9. Each existing house in the street has space for off-street parking, and I saw no evidence of on-street parking during my site visit. I consider that the introduction of on-street parking would limit manoeuvring space for vehicles within the street and be detrimental to the convenience of other road users.
8. Having considered the above matters I conclude that, while I am satisfied that a safe access for the proposed dwelling could be provided, insufficient information has been provided to show that the development proposed would make an acceptable provision for off-street parking for both the host property and existing dwelling. The proposal therefore conflicts with Policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document February 2015 (the DMPD) and Policy CS3 of the St Edmundsbury Core Strategy December 2010 (the CS). Together these policies require developments to provide appropriately designed and sited car parking, among other considerations.

Character and Appearance

9. The established pattern of development within Glebe Close is consistent with individual and paired dwellings mirrored on opposite sides, and Nos 8 and 9 at the end facing back along the street. The appeal site is located primarily out of view from the street, with only limited views of the near end between Nos 9 and 10, although the extent of visibility of any dwelling on the site would depend on scale and layout.
10. As the proposal is in outline with all matters reserved, matters of appearance, scale, landscaping and layout are therefore not before me to consider. I must therefore assess whether it is possible that an acceptable scheme could be advanced at a reserved matters stage.
11. I do not consider that development of this site would amount to backland development in its usual meaning of a new building located wholly to the rear of an existing property. Instead the site lies to the side of No 9 and given its

size and orientation I am satisfied that an acceptable scheme could be advanced given the pattern of development along this side of Glebe Close.

12. I therefore conclude, as this is a proposal for outline permission with all matters reserved, that it would not result in a harmful effect to the character and appearance of the area. It therefore accords with Policy DM2 of the DMPD and Policy CS3 of the CS. Together these policies require new development to contribute to a high quality environment and maintain local character.

Living Conditions

13. The appeal site lies at a right angle to No 9 and alongside the side boundary to No 10. Access to the site would be via the existing driveway to No 9.
14. The proposal is for a single dwelling, the scale of which could be controlled through reserved matters. Any increase in vehicular movements, and the disturbance arising thereof, must be considered in the context of the existing residential character of the area. Within this context I consider that the impact of a single dwelling would be modest. Vehicles approaching the properties at the end of the road (Nos 6-11) are already likely to shine headlights onto the front of No 9. The siting of the access to the appeal site is such that no additional disturbance from this or from the noise of cars entering or leaving the appeal site is likely to occur to the occupants of No 10 due to the separation distance and the presence of the garage to that property lying between the house and shared boundary with the appeal site. Any additional noise disturbance to No 9 would be limited to that from a single household. This could be mitigated through control of the scale of development, layout and landscaping at reserved matters stage.
15. I therefore conclude, as this is a proposal for outline permission with all matters reserved, that it would not result in a harmful effect to the living conditions of neighbouring occupiers. The appeal proposal therefore accords with Policies DM2 and DM22 of the DMPD, which taken together require that development not adversely affect residential amenity.

Other Matters

16. The appellant suggests that the development proposed would make more efficient use of the land, which they suggest should be considered brownfield land. However, the National Planning Policy Framework specifically excludes residential gardens in built-up areas from its definition of brownfield land.

Conclusion

17. I have found harm through the failure to make acceptable provision for off-street parking for both the existing and proposed dwelling. While I have not found harm with regards to provision of a safe and suitable highway access, to the character and appearance of the area or to the living conditions of neighbours, the harm that I have found would be unacceptable.
18. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR