



Appeal Decision

Site visit made on 24 February 2020

by S A Schinaia MSc EngD FGS

an Inspector appointed by the Secretary of State

Decision date: 18th May 2020

Appeal Ref: APP/W3520/W/19/3241625

The Badgers, Church Road, Beyton IP30 9AA

- 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 JHW Projects Ltd against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/00529, dated 1 February 2019, was refused by notice dated 24 May 2019.
 - The development proposed is the erection of new detached dwelling.
-

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 and whether it would preserve or enhance the character or appearance of the Beyton Conservation Area.

Reasons

Character and appearance

3. The appeal site is a narrow plot of land currently used as landscape area adjacent to the driveway serving the three private dwellings within The Badgers properties. The proposed development is within the residential area of Church Road, characterised by dwellings in plots larger than the appeal site with external amenity space of reasonable size. The current landscape area with mature trees offers an additional green gap and together with the driveway appropriate spacing between dwellings along Church Road. Although confined to the southwest side of the Badgers, the landscape planting also compensates for the lack of green space that characterises the whole property in comparison with neighbouring properties.
4. The proposal is for a two bedroom one and half storey dwelling that would involve the removal of most of the current landscape area, including a number of trees, which are not considered important by the Council. New landscape planting and a parking site for two cars would occupy the front space adjacent to the road and further landscape planting would be available at the back of the dwelling.
5. Due to the limited width, the proposed dwelling would be confined with almost no amenity space within its side boundaries, built very close to the detached

Ivy House to the south, resulting in a cramped form of development for the site itself and out of keeping with the development pattern along Church Road. Due to the constrained conditions and closeness with neighbouring properties, overall the site would result in a higher density of the built form compared to the surrounding area. The removal of most of the landscape planting would also result in the loss of spacious qualities and green space, not adequately compensated by the proposed landscape planting. For the above reasons, the proposed development would be detrimental to the spatial qualities of the area and to the character and appearance of the site and its surrounding area.

6. Therefore, I conclude that due to the harm caused to the character and appearance of the area, the proposed development would be contrary to Policy GP1 of the Mid Suffolk Local Plan (1998) (LP), which seeks for proposal to maintain or enhance the character and appearance of their surroundings and density of surrounding development; Policy CS5 of the Mid Suffolk Core Strategy (CS), which seeks to protect and conserve the landscape qualities, including its character and historic dimension and respect the character and appearance of the built heritage of Mid Suffolk.
7. It would be contrary to Policies H13, H15 and H16 of the LP: which amongst other things aim for new housing to be consistent with the pattern, form, scale and density of development in the neighbouring area and the character of its setting, to retain landscape features where possible, and to protect the existing amenity and character of residential areas, including retaining open spaces. The proposal would also conflict with paragraph 127 of the National Planning Policy Framework (the Framework), which seeks to ensure that new developments are sympathetic to the local character and history.

Conservation Area

8. The appeal site is within the south boundary of the Beyton Conservation Area, but there are no nearby listed buildings. The Conservation Area is characterised by loose-knit cottages and farmhouses of various forms and styles, mainly preceding the 18th and 19th centuries, built in a variety of mostly traditional materials. Generally, buildings are in spacious and verdant plots. Mature trees and more recent planting make a significant positive contribution to the character and appearance of the Conservation Area. Church Road, which connects the two main centres of the Conservation Area, has several protected trees, also nearby the appeal site.
9. I acknowledge that the traditional form and profile of the development respond more closely to the historic character of the area than previous application design. However, the traditional design would not compensate for the cramped appearance of the proposal that would reduce the spacing between buildings and would be out of character with the loose pattern of development in the Conservation Area. The presence of a visible parking site close to Church Road would introduce a modern element into a traditional street scene; this together with the loss of the mature trees would result in a detrimental effect on the character and appearance and the setting of the Conservation Area.
10. According to paragraph 196 of the Framework, as the harm to the heritage asset is less than substantial, it must be weighed against the public benefit. The public benefit of an additional dwelling is minimal in terms of housing supply and economic benefits and does not outweigh or justify the harm caused to the significance of the heritage asset of the Conservation Area.

11. I conclude that the proposal would fail to preserve the character and appearance of the Beyton Conservation Area, and that the proposal would be contrary to Policy HB08 of the LP, aiming to protect and enhance the character and appearance of Conservation Areas, Policy CS5 and to paragraph 127 of the Framework.

Other Matters

12. I accept that the closeness of the proposed development to the Ivy House would not result in unacceptable impacts in terms of overbearing, overshadowing or loss of privacy on the neighbouring property or any other surrounding property, due to the modest dimensions and the position of the proposed dwelling. However, this does not outweigh the harm I have found.
13. I note the concerns of local residents in terms of parking, additional traffic and safety issues in Church Road generated by construction and subsequent residential use of the proposed dwelling. However, I acknowledge that the Local Highway Authority has not raised any highway safety objections and I see no reason to disagree with this.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

S A Schinaia

INSPECTOR