



Appeal Decision

Site visit made on 4 August 2020

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2020

Appeal Ref: APP/X3540/D/20/3253394

4 York Road, Martlesham Heath IP5 3TL

- 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 C Westaway against the decision of East Suffolk Council.
 - The application Ref DC/20/1208/FUL, dated 16 March 2020, was refused by notice dated 11 May 2020.
 - The development proposed is the conversion of existing attached garage and erection of detached double garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site (No.4 York Road) is a detached two storey dwelling which is set back from the road. The front garden of the property contains four mature trees and there is a low post and chain boundary adjoining York Road and an unmarked boundary to the adjacent property (No.6 York Road). The appeal site, along with the adjacent properties on either side (No.2 and No.6 York Road) collectively have a staggered building line that runs at approximately 45 degrees to the road itself. The staggered building line along with the minimal extent of boundary treatments creates a sense of openness to the frontages of the development. To the south east of the site is an area of open space laid to grass which also contains a number of mature trees which give this part of the street a more open character.
4. The proposed development would be sited over 8 metres in front of the dwelling which would place it slightly forward of the front elevation of the adjacent dwelling (No.2 York Road). The siting of the proposed garage would appear disjointed from the host dwelling and disrupt the broad pattern of development in the area as a result of the distance in front of the front elevation of the property. My attention has been drawn to a number of other garages visible in the street scene some of which are closer to the road than the appeal proposal. However, I consider these other examples are significantly less prominent than the proposed development due to being either integral garages or garage blocks developed as part of the original estate. The

detached garage of No.9 York Road opposite the site is also not forward of the building line of the adjacent property which results in it being partly screened and therefore much less obtrusive than the appeal proposal. As such, I consider the proposed development would appear as an incongruous addition to the frontage of the property.

5. The appellant has indicated that the proposed development would comply with Policy MAR4 of the Martlesham Heath Neighbourhood Plan (2018) ('the MHNP'). Policy MAR4(3) seeks for proposals to retain the existing building lines. The properties in this area have very low boundaries with either no fencing or low post and chain fencing. The proposed garage would introduce a new feature significantly forward of the main dwelling, and as such, it would disrupt the staggered building line found in this part of the street. As such, I consider it would not accord with the MHNP in this regard. Further, as the garage would not be screened from view, its visual impact would not be minimised, and as a result, I consider it would harm the open character of the front garden.
6. The mature trees in the front garden of the appeal site in combination with those on the open space to the south east of the site make a positive contribution to the character and appearance of the area by creating a pleasant sense of intermittent open spaces spread across the wider estate. Although the appellant's garden is not identified for protection in the MHNP, the combination of the site along with the protected area makes a positive contribution to the street scene. Notwithstanding this, Policy MAR4 states that development proposals will be expected to respond to and integrate with local surroundings and the local landscape context as well as the existing built environment. The proposed garage would require the removal of three of the trees in the front garden, and although they not subject to any formal protection, their loss would erode their overall contribution to the intermittent open spaces in this part of the street scene. Whilst the proposal would retain some of the existing front garden, the extent of the garage and its siting would significantly detract from the open nature of the property frontages, failing to respond to local character.
7. The appellants have indicated that as a fallback the trees in the front garden could be removed and the area laid to hardstanding. They have indicated that if this appeal is not successful alternative means of providing space will be necessary although no precise details have been provided as to how this might be achieved. As such, it is unclear what the likelihood of this fallback being implemented might be and as a result, it is afforded limited weight. Although the proposal would not adversely affect the living conditions of adjoining occupiers and would be constructed from a suitable palette of materials and be energy efficient, these factors would be expected of any such proposals of this nature and therefore have a neutral effect on the scheme.
8. In light of the above, I conclude that the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to Policies DM21 and SP15 of the East Suffolk Council – Suffolk Coastal District Local Plan Core Strategy and Development Management Policies Development Plan Document (2013) and Policy MAR4 of the MHNP which state respectively, amongst other things, that proposals that comprise poor visual design and layout, or otherwise seriously detract from the character of their surroundings will not be permitted, that the Council will seek to enhance and preserve landscape value and character and retain the established

building line and be in keeping with the existing arrangements of front gardens, walls, railings and hedges.

9. The proposed development would also fail to accord with paragraph 130 of the National Planning Policy Framework ('the Framework') which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

P Mileham

INSPECTOR