



Appeal Decision

Site visit made on 5 October 2020

by Joanna Gilbert MA(Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2020.

Appeal Ref: APP/F3545/W/20/3249511

Garages, Paske Avenue, Haverhill CB9 8BX.

- 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 Netton on behalf of Havebury Housing Partnership against the decision of West Suffolk Council.
 - The application Ref DC/19/1019/FUL, dated 18 April 2019, was refused by notice dated 6 December 2019.
 - The development proposed is demolition of existing garages and construction of 9 no. dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application form refers to demolition of existing garages and construction of ten dwellings. However, it is evident from the appeal form, decision notice and plans that there was a reduction in the number of proposed dwellings to nine units during the life of the application. Accordingly, I have used the description of development from the appeal form in the heading above and have dealt with the appeal on this basis.

Main Issues

3. The main issues in this appeal are:
 - a) the effect of the proposed development on the character and appearance of the area; and
 - b) the effect of the proposed development on the living conditions of neighbouring occupiers on Paske Avenue and future occupiers of the development, with particular regard to outlook and the provision of external amenity space.

Reasons

a) Character and appearance

4. The narrow and irregularly shaped site lies at the western end of Paske Avenue, a cul-de-sac comprising semi-detached pairs of two-storey, mid-20th century, red brick houses linked to neighbouring pairs of houses by tall single-storey garage buildings with prominent parapet walls. The houses are set back

from the street behind small front gardens, with longer back gardens for each property. While some of the houses have been altered by the addition of two-storey side extensions or replacement single-storey extensions, there remains considerable uniformity along the street.

5. The site itself currently contains an area of hardstanding with 32 garages in four blocks to the south and west of existing residential development at Orchard Close and Paske Avenue. Beyond the site to the west, there is a large single-storey pitched roofed building which houses a bus depot. The bus depot's gable end wall is approximately seven metres in height and is visible above the garages and in long views along Paske Avenue. A narrow footpath lies between the site and 25 Paske Avenue and runs through to Duddery Hill.
6. Although the height and bulk of the existing bus depot building behind the garages renders the unattractive bus depot prominent in long views, and it may be possible for a building on the site to be taller than its neighbours, the flatted block within the proposed development would be visible along Paske Avenue, acting as an end-stop.
7. The proposed development would introduce a bulky block of flats with two and three-storey flat roofed elements and an asymmetric two-storey pitched roof element. Despite the presence of tall parapet walls to single-storey garages along Paske Avenue, there is no design cue within the streetscene for a tall flat-roofed three-storey block with balconies, a range of different brick colours and materials, and angled projecting elements with car ports at ground floor level. To my mind, the flatted block would be more visually jarring and overly dominant within the streetscene than the bus depot as it would be closer to the existing houses on Paske Avenue and it would not be partially masked by the existing garages.
8. While the properties on Paske Avenue are unremarkable, they share a coherence of design and appearance which is not appropriately reflected by the appeal proposal. Notwithstanding the presence of the bus depot to the west of the site and the potential masking effect of the proposed development, the proposed development would not provide an appropriate transition between the housing on Paske Avenue and the bus depot. While one should not seek to copy or mimic the architectural style of properties within the site's context, the design and finish of the proposed development fails to appropriately interpret and reflect local distinctiveness or be in keeping with the urban grain of Paske Avenue. This particular contemporary design approach would not successfully respond to the site's specific characteristics and context.
9. Bearing in mind the aim of optimising the potential of a site set out at paragraph 127 of the National Planning Policy Framework (the Framework), I have considered the level of site coverage of the proposed development. Notwithstanding the shape and constraints of the site, the three proposed bungalows would have very small cramped back gardens, while their frontages would be only for parking. The flatted block would be dominated by car parking and refuse storage at ground floor level and there would be little in the way of landscaping. In this instance, it appears that the scheme would maximise rather than optimise the site's development potential. In doing so, the proposed development would be cramped, contrived and awkward.

10. The appellant has referred to two appeal decisions¹ to support their views on the height of the proposed three-storey flatted block and the suburban character of the proposed development. I do not have all the details of those appeals before me. As such, it is not possible to confirm that they are directly comparable. In any event, I must deal with this appeal on its own merits.
11. While Policy CS3 of the St Edmundsbury Core Strategy 2010 (CS) has previously been described as being a fairly general design policy², this does not alter its relevance.
12. Concluding on this main issue, I consider that the proposed development would have a harmful effect on the character and appearance of the area. This would be contrary to CS Policy CS3, Policies DM2 and DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015 (JDMP), and paragraph 127 of the Framework. Policies CS3 and DM2 address design and local distinctiveness, while Policy DM22 deals with residential design. Paragraph 127 of the Framework, amongst other things, requires development to function well, optimise site potential; be visually attractive as a result of good architecture; and be sympathetic to local character.

b) Living conditions

13. The proposed development would comprise a flatted block and three bungalows. The flatted block would face the end of Paske Avenue and would lie close to the two-storey terraced residential property at 25 Paske Avenue (No 25), which has a first floor bedroom window on its flank elevation facing the site and a ground floor living room window and two first floor bedroom windows on its front elevation at an angle to the site. The northern elevation of the flatted block with its four windows would face the southern elevations of the three proposed bungalows.
14. In terms of outlook, although the taller part of the flatted block would be stepped away from No 25, the overall height and length of the flatted block's front elevation would be substantial and would represent a considerable increase on the existing garages. Within the site, the future occupiers of the three proposed bungalows would have an expansive view of the large flank wall of the flatted block. As a result of its bulk and proximity to the fenestration on No 25's front and flank elevations and to the front elevations of the three proposed bungalows, the overall impact of the proposed development would be oppressive and over-bearing.
15. Turning to the issue of external amenity space, the three proposed bungalows would have small rear gardens, while the proposed flats would only have small balconies. Private external spaces can take a range of forms dependent on the nature and the context of the development and can include gardens, balconies and roof terraces. It is not unusual for flats to only have access to balconies, particularly if those flats are one-bedroom units and are less likely to be occupied by families. The Council has not provided me with any adopted policy prescribing minimum outdoor space standards and no evidence has been provided which demonstrates that the proposed balconies would provide inadequate external amenity space for future occupiers. Furthermore, the site

¹ APP/A0665/W/17/3178946, decision issued 27 December 2017; and APP/M5450/W/17/3177354, decision issued 10 January 2018.

² APP/E3525/A/12/2176271 and APP/E3525/E/12/2181028, decisions issued 15 February 2013.

is located within walking distance of Haverhill Recreation Ground. Therefore, in a similar vein to a recent appeal decision³ referred to by the appellant, I find that the limited amount of external amenity space proposed would not represent a reason to dismiss the appeal.

16. With regard to privacy, there would be some effect on the privacy of occupiers at No 25, but this would not be significant given the angles of the windows in Dwellings 1 and 2 within the flatted block relative to the flank window at No 25. However, this does not alter my concerns regarding outlook.
17. Concluding on this main issue, the proposed development would have a detrimental effect on the living conditions of neighbouring occupiers on Paske Avenue and future occupiers of the development, with particular regard to outlook. Consequently, this would not accord with CS Policy CS3, JDMP Policies DM2 and DM22, and paragraph 127 of the Framework. Amongst other things, CS Policy CS3 and JDMP Policies DM2 and DM22 require high quality, safe and sustainable environments, and maintenance of residential amenity. Paragraph 127 of the Framework, amongst other things, refers to optimisation of site potential and to the creation of places which are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Other matters

18. The proposed development was reduced in terms of number of dwellings after the application was submitted. Additionally, the removal of the existing buildings would involve removal of asbestos from the site. Furthermore, the Council's case officer recommended the scheme for approval having recognised a number of benefits such as efficient use of brownfield land; parking provision; and noise and energy efficiency. I also note the provision of nine affordable housing units, the general condition and use of the existing garages, and that the scheme was designed by an experienced and chartered architectural practice. No legal agreement has been provided to secure affordable housing. However, as I am dismissing the appeal on the main issues for the reasons given above, I have not pursued these matters further.
19. Interested parties have raised a number of concerns in respect of matters including traffic; pedestrian safety; access for emergency vehicles and refuse collection; effects of construction on neighbouring properties; the likelihood of better alternative sites locally; flood risk; light; air pollution; crime and anti-social behaviour; effects on wildlife; the need for bungalows; the need for garages and the lack of suitable alternative garage provision; and the interaction of the proposed development with planning permission for the bus depot. These concerns have not led me to a different overall conclusion.

Conclusion

20. For the reasons set out above, and having taken account of all other matters raised, the appeal should be dismissed.

Joanna Gilbert

INSPECTOR

³ APP/G1250/W/18/3204719, decision issued 13 February 2019.