The Planning Inspectorate

Appeal Decision

Site visit made on 5 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020

Appeal Ref: APP/X3540/W/20/3251575
Part side garden of 5 South Close, Melton, Suffolk IP12 1QR

- 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 Hopkins & Moore (Developments) Ltd against the decision of East Suffolk Council.
- The application Ref DC/19/3900/FUL, dated 23 September 2019, was refused by notice dated 22 November 2019.
- The development proposed is construction of 2 dwellings, garaging, associated works (existing garaging to be removed).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted the Suffolk Coastal Local Plan (LP) on 23 September 2020. This covers the former Suffolk Coastal District, administered by the current East Suffolk Council. Along with those of the Melton Neighbourhood Plan[1] (NP), this newly adopted LP provides the policies relevant to my decision.

3. The appellant has made the payment sought by the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy, so as to satisfy the Habitats Regulations and enable me to carry out the necessary Appropriate Assessment should the proposal be otherwise acceptable. In addition, the ecological assessment[2] provided satisfies me the proposal would not likely impact adversely upon biodiversity or any protected species. This overcomes the third reason for refusal, which no longer informs the following main issue.

Main Issue

4. This is, whether the proposal would be acceptable in this location with regard to the character and appearance of the area and accessibility to services.

Reasons

5. The proposal relates to disused garage buildings either side of the entrance to a small cul-de-sac of eight semi-detached dwellings. One side of the appeal site would provide for a further semi-detached pair of houses, with new garaging on the land opposite. South Close is near to the Melton Park development, which comprises some 200 dwellings built on a former hospital site. However,

[1] Melton Neighbourhood Plan 2016-2030 Made Version January 2018
[2] Hopkins Ecology, April 2020

this housing and that at the appeal site all lie outside the settlement limits for Melton identified in the NP, where Policy MEL1 permits only development appropriate in the countryside that accords with the LP policies.

6. LP Policy SCLP5.3 restricts housing in the countryside to specific circumstances, which includes limited development within existing clusters in accordance with Policy SCLP5.4. South Close meets the definition of a cluster as a close group of eight existing dwellings adjacent to an existing highway, where policy supports up to three dwellings subject to further criteria.

7. The proposal would not comply with criterion b) of Policy SCLP5.4 as it does not consist of infilling within a continuous built up frontage nor is in a clearly identifiable gap within the cluster or otherwise located adjacent to existing development on two sides. Criterion c) requires that the proposal does not represent an extension of the built-up area into the surrounding countryside beyond the existing extent. The proposed semi-detached pair of houses are shown to occupy an area greater than the footprint of the disused garages, so would extend the existing built-up area.

8. The scheme would introduce a pair of dwellings, as well as their gardens and associated domestic paraphernalia, into an area which, whilst not containing any particularly important individual trees, provides this small built enclave a verdant setting. This helps screen the development and preserve the rural character of this location. Although replacing the rather unattractive garage buildings and retaining some mature tree screening alongside the public highway, the scheme does not follow the spacious arrangement of the existing eight semi-detached houses. Adjacent to this present arrangement of houses, the new semi-detached pair would appear cramped and out of keeping. Larger and more prominent than the garaging which it would replace, the scheme would comprise a rather incongruous incursion of development into an area partly naturalised by vegetation. The visual impact would be of significant harm to the character and appearance of the countryside. As such the scheme fails criterion d) of Policy SCLP5.4 which requires there be no undue harm to the character and appearance of the cluster or any harmful visual intrusion into the surrounding landscape.

9. In all, the proposal would conflict with LP Policy SCLP5.4 which provides the flexibility to permit small amounts of further housing where this integrates well with existing residential clusters and causes no harm to their character or that of the surrounding landscape. The proposal therefore fails to comply with Policy SCLP5.3 in respect of housing permitted in the countryside. There would be further conflict with LP policies SCLP11.1 and SCLP10.4 which seek locally distinctive and high quality design, including by requiring proposals to protect and enhance the special qualities and features of the area and the visual relationship and environment around settlements and their landscape settings.

10. There are some services in Melton Park. However, most are in Melton itself, which is about one kilometre from the appeal site. The narrow, unlit country lanes without footways that serve the appeal site would not provide a safe or convenient walking route to the school, shops and other facilities in Melton, particularly in poor weather or outside daylight hours. Cycling might remain a viable option. However, without a regular bus service, the dwellings would still engender a reliance on private car journeys to meet regular household needs. The proposal therefore gains no support from LP Policy SCLP7.1, which seeks

that development be located close to services and facilities and provides safe pedestrian access.

11. The general restriction on housing in the countryside imposed by the LP helps steer most residential development to larger centres, where a wider range of services are available. This serves to protect the character and appearance of the countryside and reduce the overall amount of travel and journeys made by private car to reach services. This proposal would conflict with these objectives, contrary to the aforementioned LP policies.

Conclusion

12. The proposal would result in harm by virtue of the inherent conflict with the LP policies and a plan-led approach for the location of housing. There would be specific harm both to the character and appearance of the area and from poor accessibility to services. The two dwellings would provide social benefits in contributing towards housing supply, and economic benefits from their construction, future servicing and household expenditure. Some benefit derives from the site being previously developed land. However, these small benefits would not comprise material considerations of sufficient weight to indicate the appeal be decided otherwise than in accordance with the recently adopted development plan, with which I find there to be conflict when considered as a whole. For this reason, having taken into consideration all further matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

Inspector