
Appeal Decision

Site visit made on 19 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/X3540/W/20/3255265

Marsh End, 283 Ferry Road, Felixstowe, Suffolk IP11 9RX

- 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 M Turner against the decision of East Suffolk Council.
 - The application Ref DC/20/1444/FUL, dated 9 April 2020, was refused by notice dated 3 June 2020.
 - The development proposed is new dwelling.
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Decision

1. The appeal is dismissed.

Procedural 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. This newly adopted LP provides the policies relevant to this 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. This measure addresses the Council's second reason for refusal, which no longer comprises a main issue.

Main Issue

4. This is whether the proposal would be appropriate in this location, with particular regard to the level of accessibility to services, the living conditions offered to future occupiers and the character and appearance of the area.

Reasons

5. Marsh End is an imposing dwelling of a fairly contemporary design. It has lodge accommodation to one side which is complimentary in its subordinate scale, character and position. These buildings are set back from Ferry Road and face onto a semi-circular front lawn enclosed by the twin-entranced drive. To the rear of the appeal property are the maintenance facilities of Felixstowe Ferry Golf Club, with parts of the golf course lying beyond these. Marsh End, and the small number of spaciouly arranged dwellings that lie this side of Ferry Road, differ in character from the housing on the opposite side, which is more concentrated and forms part of the main built-up area of the town.

6. Felixstowe is identified as a major centre in the settlement hierarchy set out in LP Policy SCLP3.2. However, the appeal site lies just outside the settlement boundary defined in the LP, within what is deemed countryside in policy terms and where the low-density housing and golf course are within a wider landscape designated as both a Heritage Coast and an Area of Outstanding Natural Beauty (AONB).
7. The dwelling proposed would occupy just over half the front garden area, face away from the main property and have one of the two existing entrances as its own. Although the proposed house is just outside the settlement boundary, its accessibility to services and facilities would not differ materially from those of the houses opposite, on the more developed side of Ferry Road. Consequently, I find limited harm for this reason.
8. The new house would have quite a small back garden, with most provided to the front, adjacent the detached garage and entrance/turning space. Boundary fencing would provide privacy to these outside areas. Given that any future occupier would most likely be exercising consumer choice in respect of the accommodation provided, the proposal as a whole would provide acceptable residential living conditions, particularly for anyone seeking a smallish amount of garden to maintain.
9. The front lawn enclosed by the drive forms part of the open setting and spacious character of the host dwelling. The additional house to its fore would detract from this, appearing both cramped and inharmonious in this context. Unlike the existing building to the side and despite a continuing contemporary theme, a further, larger dwelling on this plot would detract from the open setting of the host dwelling, harming the overall spacious character which helps this edge of settlement housing assimilate satisfactorily within the open landscape beyond. For this reason, I find conflict with LP Policy SCLP11.1, which seeks that development relates well to the scale and character of its surroundings and responds to local context and the form of buildings around it.
10. Policy SCL5.3 of the LP places a restraint on residential development outside of defined settlement boundaries. In this case, this proposal would need to accord with Policy SCLP5.4 as limited development within a cluster or be consistent with policy on residential development in the countryside contained in the National Planning Policy Framework (the Framework).
11. The scheme conflicts with the terms of Policy SCLP5.4 b) as it would not consist of infilling within a continuous built up frontage, nor a clearly identifiable gap within an existing cluster or be otherwise adjacent to existing development on two sides. Even if argued to the contrary, the proposal would still harm the overall character and appearance of this area and be a discordant visual intrusion, in conflict with part d) of Policy SCLP5.4. This policy also requires particular care be exercised given the sensitive location within the AONB/Heritage Coast. The harm found to the character and appearance of the area would also conflict with LP Policy SCLP5.7, which requires that garden development causes no harm in this regard, and Policy SCLP10.4, insofar as this protects the landscape quality of the AONB.
12. The dwelling would be within an existing residential curtilage, with the golf course entrance to one side. Although the development would not extend into more open countryside, the existing loose grain of development on this side of Ferry Road respects the protection granted to this area of landscape. There

would be conflict with the Framework, which seeks that the design of development is sympathetic to local character, including the surrounding built environment and landscape setting, and also gives great weight to conserving and enhancing the scenic beauty of AONBs.

Balance and Conclusion

13. The mixture of architectural styles, including where older dwellings have been modernised, extended or replaced to introduce an intermingling of contemporary designs, provides a quite eclectic built environment here. In the context of a coastal location, and framed by high-quality landscape, this residential area possesses a strong sense of place. The design of the host dwelling contributes positively to this. Whilst the design of that proposed would be equally satisfactory when considered in isolation, where sited it would be harmfully out of character, for the reasons already explained. The Council's recent decision to permit five contemporary dwellings opposite on the golf clubhouse site, evidently to be quite evenly and spaciouly arranged, would not overcome the concerns with this rather cramped and incongruous proposal.
14. The recently adopted LP is consistent with the Framework, providing a similarly balanced approach to sustainable development, without an unduly restrictive approach to development outside settlement boundaries nor, in this AONB and Heritage Coast context, simply protecting the countryside for its own sake. There would be small social and economic benefits from the development proposed, in respect of housing supply and the local economy. However, these would be insufficient to outweigh the significant environmental harm identified. Consequently, the proposal would not comprise the sustainable development sought by the Framework and would conflict with both this and the LP, when each is considered as a whole. Therefore, having taken all further matters raised into account, I conclude the appeal should be dismissed.

Jonathan Price

Inspector