
Appeal Decision

Site visit made on 7 December 2020

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 29th December 2020

Appeal Ref: APP/X3540/W/20/3256864
6 Dixon Drive, Lowestoft NR33 9PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Gillian Hogg against the decision of East Suffolk Council.
 - The application Ref DC/20/1814/OUT, dated 13 May 2020, was refused by notice dated 7 July 2020.
 - The development proposed is the erection of a bungalow.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is in outline with all matters reserved. The appeal is considered on this basis, with the detailed plans being treated as only illustrative of the way the site could be developed.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - whether acceptable living conditions would be provided for the occupiers of No 6 Dixon Drive in relation to outdoor amenity space and outlook; and
 - whether the proposal would provide the necessary mitigation for any impact on the integrity of Suffolk Coast European Sites.

Reasons

Character and appearance

4. The proposal is for a small bungalow on the site of the garage and part of the rear garden of No 6 Dixon Drive, a single storey property on the corner of Loxley Road. The new bungalow would be accessed from Loxley Road and sited next to the detached garage of the adjacent property.
5. The bungalow is intended to meet the specific housing needs of the appellant. Whilst the local ward member supported the proposal for use as an annexe to No 6, this would not be the case. The proposal is designed as a separate, independent dwelling in its own curtilage with its own access, parking/turning area and outdoor amenity space. The common boundary with No 6 would be

- fenced and a new access, parking and turning area for that property created in the existing front garden off Dixon Drive.
6. The result of subdividing the existing plot in this way would be two bungalows on markedly smaller plots than others in the Dixon Drive/Loxley Road area, a well-established residential estate comprised almost entirely of detached and semi-detached bungalows. The estate is remarkably uniform in character with very similar bungalow designs and plot sizes throughout. In this context, however designed, the new property would appear cramped on its plot and probably closer to the road in comparison to its neighbours. This would form an intrusive and discordant feature in the street scene when seen amongst the adjacent more spacious properties.
 7. No 6 would also appear cramped on its noticeably smaller corner site. This would be readily apparent due to the creation of a new parking/turning area in the front garden. A section of the low brick front wall would need to be removed and an area of hardstanding introduced into the existing landscaped garden area. This would itself be harmful to the character of the area where most nearby properties retain their frontage walls and front gardens, having driveways to the side with their garages to the rear.
 8. Whilst there is no national or local policy requiring uniform plot sizes and also support for smaller dwellings and increased densities, this is not at the expense of encouraging development that would harm the character and appearance of existing residential areas. The area has no special designation such as conservation area status, but this is no reason to allow harmful development. The site is not underused and does not comprise previously developed land, residential gardens being excluded from the definition.
 9. The appellants draw attention to three recent permissions for small plots in the area as support for the proposal. However, the Colville Road example is not comparable as an idiosyncratic single storey dwelling on an odd shaped corner site in a two storey, non-estate setting. The cases in both Westwood and Winston Avenues do involve severing the rear section of a corner plot in a similar way to the appeal proposal and the Council do not explain the respective decisions. These schemes do however fill a single gap between dwellings within an otherwise built up frontage whereas the new bungalow behind No 6 would both adjoin and face rear gardens. In any event these individual, scattered permissions are some distance away and do not justify a harmful proposal in a more regular and uniform housing estate.
 10. For these reasons the proposal would significantly harm the character and appearance of the area in conflict with Policies WLP8.29 and WLP8.33 of the Waveney Local Plan 2019 (WLP). These require high quality design which reflects local distinctiveness and only support housing proposals on garden sites when they are in keeping with the character and density of surrounding development and would not generate a cramped form of development.

Living conditions

11. The remaining area of private amenity space retained by No 6 would only be about 75 m², awkwardly shaped and part covered by a canopy. This would be unduly small in relation to the size of the dwelling. In addition, the rear garden fence behind the property would only be about 4 m away according to the Council's officer report, which would excessively restrict the depth of outlook

from the rear windows of the bungalow. Both factors would be significantly detrimental to the living conditions offered by the property. Although the Council has not adopted any specific standards in these respects and the appellant points to examples of equal or worse provision in three cases nearby, this does not justify a further dwelling offering relatively poor living conditions in this location.

12. For these reasons the proposal would not provide acceptable living conditions for the occupiers of No 6 Dixon Drive in relation to outdoor amenity space and outlook and would conflict with WLP Policies WLP8.29 and WLP8.33. These require a good standard of amenity for occupiers and attractive, useable and proportionately sized amenity spaces.

European sites

13. The new dwelling would lie within 13 km of Suffolk Coast European Designated Sites where additional visitor pressure may adversely affect the integrity of the habitats concerned. Whilst the Suffolk Recreational Disturbance Avoidance and Mitigation Strategy has identified a series of suitable measures to address this issue, the appellant has not to date provided the appropriate contribution. As matters stand the proposal would not provide the necessary mitigation for the potential impact on the integrity of the European sites and this conflicts with WLP Policy WLP8.34 which requires developers to make financial contributions to secure the mitigation of likely impacts.

Conclusion

14. The proposal would provide an additional small dwelling built to lifetime homes standard which are much needed in the district to improve the existing mix of dwelling types. It would make a useful contribution towards local housing needs in a sustainable location and offer social and economic benefits for the town. The proposal would also be self or custom-built housing, an option currently under-represented in the area and would be of particular benefit for the appellant in meeting their specific housing needs whilst remaining part of the local community. However, these material considerations are not sufficient to outweigh the harm identified under the main issues and the associated conflict with the development plan.
15. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR