



Appeal Decision

Site visit made on 4 May 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 18 May 2021

Appeal Ref: APP/F3545/W/20/3263846

New House, Bury Lane, Lidgate, Newmarket CB8 9PX

- 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 Mr Walker against the decision of West Suffolk Council.
 - The application Ref: DC/20/1109/OUT, dated 6 July 2020, was refused by notice dated 8 October 2020.
 - The development proposed is a two-storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application was submitted in outline, with all matters reserved for future consideration. I have therefore had regard to the submitted plans, insofar as they relate to the reserved matters, on an indicative basis only.

Main Issues

3. The main issues are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - the effect of the development upon the character and appearance of the Lidgate Conservation Area.

Reasons

Character and appearance of the surrounding area

4. The appeal site consists of the area to the rear of the existing dwelling at New House. It is separated from this dwelling's garden by a hedge. The surrounding area is defined by the presence of dwellings arranged in a linear form on relatively large plots. Beyond these dwellings is open countryside. In consequence, the character of the appeal site can be summarised as having a rural character.
5. The proposed development would result in the erection of a detached dwelling and therefore, irrespective of the form of the development, the proposal would result in an increase in the overall level of built form. Whilst the existing dwellings have large gardens, the proposed dwelling would be viewable alongside other houses. Therefore, the character of the surrounding area would

be eroded owing to the loss of the predominantly linear form of development that is a feature of Bury Lane and the nearby street of Hill View, which is to the rear of the appeal site.

6. Although some of the nearby dwellings, such as New House and Brooke House are constructed to more modern designs, they reflect the character of the surrounding area in that they are larger dwellings located in a landscaped setting.
7. The character of the area is defined by the presence of dwellings in large gardens. Whilst the form of the dwelling is still to be determined, it would be divergent from the prevailing character of the vicinity as it would erode the character of space and openness that surrounds the existing dwellings.
8. Whilst access has been reserved for future consideration, should this be provided in a location similar to that shown on the indicative details, it would result in an urbanising effect adjacent to the open countryside. This would erode the rural character of the site's surroundings. Whilst the road could be screened by landscaping, such screening is likely to take some time to become established and may vary depending on season. In result, this would not overcome my previous concerns.
9. I acknowledge that the application was submitted in outline form and therefore matters such as layout, scale and design are still to be formally established, however, the proposal would impact upon the character of the site and the surrounding area. By reason of the increase in built form and the development of this site, this would occur irrespective of the final design of the proposed dwelling. In particular, the development would be readily apparent from the surrounding properties such as New House and Brooke House as well as those dwellings in Hill View.
10. Furthermore, the proposed development would be visible from parts of the B1063. Whilst such views would be relatively fleeting, the increase in built form would be notable and therefore, the predominantly rural character would be eroded. Although the appeal proposal may be larger than dwellings in Hill View, the properties in Hill View retain the prevailing linear character of the wider area. This would be eroded by the proposed development.
11. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policies DM2 and DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (2015) (the Local Plan). These, amongst other matters, seek to ensure that developments recognise and address the key features, characteristics, character, local distinctiveness, and special qualities of the area; and utilise the characteristics of the locality.

Character and appearance of the Conservation Area

12. The appeal site is located in the Lidgate Conservation Area (the CA). For the purposes of this appeal, the significance of the CA is, in part, derived from the presence of traditionally designed dwellings that are in a linear form within landscaped settings.
13. The development broadly comprises the creation of an additional dwelling without a direct frontage onto the highway with the development being served

by an access road. This would mean that the proposed development would erode the traditional layout of the CA and would therefore appear discordant.

14. In addition, in order to provide separate private gardens for both the occupiers of the proposed dwelling and the existing house, the site would need to be subdivided. This would erode the prevailing character of the CA of dwellings being located on spacious plots.
15. Whilst the appeal site is located on the periphery of the village and the CA, the prominence of the appeal site is such that the proposed development would be readily perceptible from several different viewpoints. This means that the development would lead to a detrimental effect upon the prevailing character of the CA.
16. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the CA. The development, in this regard, would conflict with Policy DM17 of the Local Plan. Amongst other matters, this seeks to ensure that new developments preserve or enhance the character or appearance of the Conservation Area; and be of an appropriate alignment.

Other Matters

17. Although the planning application was made in outline form, I have no reason to believe that a dwelling could not be constructed on this site without having an adverse effect upon the living conditions of the occupiers of the neighbouring properties. Whilst this is a matter of note, this does not outweigh my findings in respect of the main issues.
18. I understand that the appeal proposal would not have an adverse effect upon the setting of any listed building. However, this is only one of the matters that must be considered and therefore does not overcome my previous concerns.
19. I acknowledge concerns raised by the appellant regarding the manner that the Council considered the planning application. However, in considering this appeal, I have limited my considerations to the planning matters before me.

Planning Balance and Conclusion

20. The harm that would occur to the character and appearance of the CA would not be severe and therefore it would be 'less than substantial' within the meaning of the Framework. Paragraph 196 of the Framework requires such harm to be weighed against the public benefits of the proposal.
21. The proposed development would result in an additional dwelling, which would result in an increase in the local housing supply; would generate some economic benefits arising from the construction process; and the residents of the dwelling would support local services. However, such benefits by reason of the size of the development would be small scale, limited in impact and, in some cases, of time limited duration. In consequence, I can give only these benefits a limited amount of weight.
22. Therefore, when giving significant importance and weight to the special attention I must pay to the desirability of preserving or enhancing the character or appearance of the CA, I find that the harm that would arise from the proposal would not be outweighed by its limited public benefits.

Accordingly, there would be a conflict with Paragraph 194 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

23. The proposed development would harm the character and appearance of the surrounding area and the character and appearance of the CA. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR