



Appeal Decision

Site Visit made on 2 November 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th November 2021

Appeal Ref: APP/W3520/W/21/3273690

The Six Bells Inn, Church Road, Felsham, Bury St. Edmunds IP30 0PJ

- 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 Cordage 13 Limited against the decision of Mid Suffolk District Council.
 - The application Ref DC/20/04572, dated 14 October 2020, was refused by notice dated 1 April 2021.
 - The development proposed is the erection of three detached dwellings and associated parking and landscaping on land to the rear of the public house, utilising the existing public house access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - whether appropriate living conditions would be secured for the future occupiers of the proposed development.

Reasons

Character and appearance

3. The appeal site is located to the rear of the existing public house building. The appeal site is also situated near to several other buildings. Whilst there is some variety in terms of the design of existing dwellings, there is a unifying trend in that dwellings are generally constructed to traditional designs and feature garden areas.
4. Although there is some variation in terms of scale, dwellings in the surrounding area are also typically arranged in a linear pattern. This means that through gaps between buildings, a more open character is apparent. This means that the settlement harmonises with its more rural surroundings.
5. The proposed development comprises three dwellings located to the rear of the existing public house building. This area currently comprises a grassed area. In consequence, the proposed development would result in a significant increase in the overall level of built form.

6. Therefore, the proposed development would erode the current more open verdant character owing to the loss of the grassed area. This would occur even though gardens have been included in the proposed development.
7. Although the proposed development would have a similar height to some of the other buildings in the surrounding area, elements of the dwellings, including their proximity to one another would be visible from different vantage points in the surrounding area, such as between gaps in existing buildings and the site's entrance.
8. Moreover, notwithstanding the scale of the proposed houses, the number of dwellings that have been included are such that the proposed development would appear cramped and have a more urban appearance owing to the lack of space between them.
9. In consequence, the proposed development would conflict with the prevailing more rural character that is a feature of the surrounding area owing to the greater amount of built form and the lack of gaps in between buildings.
10. These factors are a concern given the general prominence of the appeal site. In addition to views of the development from numerous neighbouring properties, the development would also be viewable from some different vantage points in the surrounding area. In consequence, the increase in built form would be readily perceptible and would render the proposed development strident. This would occur irrespective of the intended architectural detailing and the proposed palette of materials.
11. In addition, owing to the layout of the development, the proposal would include a substantial amount of hard surfacing. In consequence, this would conflict with the more verdant and rural character of the appeal site's environs.
12. Whilst I have noted that the development would include some landscaping, this is relatively small in scale. In result, the screening effect offered by this would not be large and would not mitigate the adverse effects arising from the increase in built form. In addition, such landscaping would potentially take some time to become established.
13. In consequence, I do not find that the presence of additional landscaping within the proposed development to be of a sufficient type and scale in order to overcome my previous concerns. Moreover, although the development would create a new place, it would not harmonise with its surroundings.
14. 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 GP1 and H15 of the Mid-Suffolk Local Plan (1998) (the Local Plan). Amongst other matters, these seek to ensure that developments should maintain, or enhance, the character and appearance of their surroundings; and be consistent with the pattern and form of development in the surrounding area.

Living conditions

15. The proposed development would result in the creation of three additional dwellings arranged around a central courtyard. By reason of the layout of the development, the front elevations of the proposed dwellings would face this

- courtyard. Adjacent to the proposed dwellings would be individual parking areas.
16. The proposed development, by reason of its scale and type, is likely to be occupied by three separate households. In result, the potential exists for journeys to and from each dwelling to be made independently of one another.
 17. This causes a concern owing to the scale and layout of the development. This means that any vehicle that needs to undertake a manoeuvre associated with Plot 2 as shown on the submitted plans, is likely to travel close to another dwelling.
 18. Whilst the layout means that vehicles would not need to enter or leave the site in a reverse gear, it is likely that the noise of such vehicles would be audible within the neighbouring dwellings. Given that the rooms with windows facing the courtyard include living rooms, the effect on the living conditions of the occupiers of these dwellings would be particularly significant.
 19. In addition, such concerns would be heightened if vehicle movements were to take place during periods, such as the latter part of the evening and early morning. As these are periods of time where residents might reasonably expect a greater amount of peace and quiet, the noise arising from vehicles moving would be particularly apparent.
 20. Furthermore, should vehicles need to be moved during periods of darkness there is a significant likelihood that headlights would be visible within some of the other dwellings in the development. This has the potential to cause disturbance to residents and could, potentially, disrupt sleep patterns.
 21. Due to the layout of the development there would not be the potential to install boundary treatments in front of each of the proposed dwellings that might diffuse such light spillage.
 22. Whilst the total number of vehicle movements might not be large, the effects arising from the proposed development would be particularly significant by reason of the proximity of the vehicle manoeuvring areas to the proposed dwellings.
 23. Owing to the proposed layout, vehicles associated with the dwellings on Plots 1 and 3 would not necessarily need to pass close to another dwelling, but this would not overcome my previous concerns.
 24. My attention has been drawn to Local Plan Policy T9. Amongst other matters, this policy seeks to ensure that new developments include sufficient car parking and manoeuvring spaces. However, I have found that it is the operation of the proposed manoeuvring spaces that would result in inappropriate living conditions for the future occupiers of the development, rather than the amount provided.
 25. I therefore conclude that the proposed development would not provide appropriate living conditions for the future occupiers of the development. The development, in this regard, would conflict with Policy SB2 of the Local Plan. Amongst other matters, this seeks to ensure that new developments should not adversely affect the amenity of the occupiers of neighbouring properties.

Other Matters

26. The proposed development would result in an increase in the local housing supply within the settlement. In addition, the proposed development would not have an adverse effect upon the character and appearance of the Conservation Area and the setting of a nearby Listed Building. Whilst these are matters of note, they are only some of the matters that must be considered and do not overcome my findings in respect of the main issues.
27. I acknowledge references to a previous appeal decision. I do not have the full information regarding the planning circumstances of this, which lessens the weight that I can attribute to it. Nonetheless, the previous scheme was for a smaller number of dwellings. It therefore follows that this would give rise to different impacts than the scheme before me. I therefore do not find that this is sufficient to overcome my previous conclusions.
28. I acknowledge that in submitting the planning application, the appellant was attempting to overcome the refusal of previous proposals. However, this does not outweigh my previous conclusions. In addition, I have identified breaches of development plan policies, from which harm would emanate.
29. I note concerns raised by the appellant regarding the manner in which the application was determined by the Council. However, in considering this appeal, I have limited my considerations to the planning matters before me.

Conclusion

30. The proposal would have an adverse effect upon the character and appearance of the surrounding area and would not provide appropriate living conditions for all the future occupiers of the development. 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