



Appeal Decision

Site visit made on 16 May 2023

by P. D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th June 2023

Appeal Ref: APP/F3545/W/22/3312238

8A Hollow Road, Bury St Edmunds, Suffolk IP32 7AY.

- 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 A Dowds against the decision of West Suffolk Council.
 - The application Ref DC/22/1563/FUL dated 5 September 2022, was refused by notice dated 16 November 2022.
 - The development proposed is dwelling house adjacent to 8A Hollow Road, Bury St Edmunds.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposed development would have an adverse effect on the character and appearance of the host dwelling and its surroundings on Hollow Road.

Reasons

3. Hollow Road where the appeal site is located is a mix of residential and industrial/commercial development with residential along the east side of the road and industrial / commercial to the west in the vicinity of the site. The housing takes the form of a mix of dwelling types with two storey detached, semi-detached and terraced housing and the occasional bungalow. The land rises to the east away from Hollow Road and the housing is set up above the road level typically with sloping drives and vehicle parking to the front.
4. The current 8A and 8B Hollow Road form a pair of semi-detached houses which, although extended to the rear, appear to have retained their original form to the frontage. No 8A sits on the corner of Hollow Road and St Nicholas Close, a cul-de-sac wrapping around to the rear of Hollow Road. The southern side boundary to No 8A is currently open to St Nicholas Close roadway. There is no footway but a grassed and banked verge lies between the roadway and the plot boundary. The effect of this gives an open and spacious feeling to the junction and streetscape generally.
5. I have been invited to conclude that a similar relationship to that proposed on the appeal site exists in respect of other properties in St Nicholas Close and justifies allowing the appeal. Whilst it is true the properties to the rear on St Nicholas Close are smaller and built closer to the road, those on the first section of the Close

nearest to the appeal site adopt the more spacious style of the properties on Hollow Road and I have therefore determined the appeal case on its own merits.

6. The appeal proposal is for a dwelling to the same height and depth as No 8A which would take up all of the available side space between No 8A and the banked verge. Even so the house would be narrower than the existing house at No 8A by approximately one metre. This would result in the dwelling appearing at odds with its neighbours and unbalancing the semi-detached pairing and changing it into a short terrace. I note that there are smaller width plots in the terrace of houses further south on Hollow Road but, in the context of the immediate vicinity of the appeal site, plots are generally more spacious. I am therefore not persuaded that the development would be in keeping with the form of development in the immediate area.
7. More damaging however would be positioning the gable end on the line of the highway verge at the entrance to St Nicholas Close. This positioning would have a significantly detrimental effect closing down the feeling of openness and spaciousness at the junction and at the start of the Close increasing the density contrary to the character of Hollow Road and the Close.
8. It has been put to me that the similar height and depth of the property with the gable end to St Nicholas Close would appear little different to the existing house No 8A. However, the proximity of the dwelling at an elevated level above the road and the consequent change in the spacious character around the junction would be noticeable and detrimental.
9. I have been invited to conclude that a combination of the remaining grass verge and the proposed planting area on the frontage would retain the green character to the corner. However, whilst this might assist the appearance of the immediate corner it would not resolve the impact of about 25 metres of built structure enclosing the highway verge in the form of the proposed full height gable wall, rear offshoot wall and close-boarded 1800mm high fence.
10. For the reasons above the proposed dwelling, largely due to its positioning, scale and height, in an open, spacious and prominent setting would adversely impact on the character and appearance of the semi-detached pair and its setting on the corner of Hollow Road and St Nicholas Close. It would therefore conflict with both *Bury St Edmunds Core Strategy* (BCS) Policy CS3 on design and local distinctiveness that requires development to understand and enhance the local context and to *Joint Development Management Development Plan Document* (JDMDPD) Policy DM2. This requires development to address key features, characteristics, townscape character and local distinctiveness and to avoid the loss of gardens and important open, green landscaped areas which make a significant contribution to character. These policy objectives would not be met by the proposal.

Other Matters

11. It has been put to me that the benefits of the scheme in providing housing in a sustainable location would outweigh any shortcomings of the scheme in terms of the impact on character and appearance. However, the Council can currently provide 5.4 years of housing supply and has delivered 128% of its housing requirement over the last 3 years based on housing delivery test results published in 2022. Thus there is not an unsatisfied housing need, the housing policies of the BCS and JDMDPD can be considered up to date, the tilted balance in paragraph 11

of the *National Planning Policy Framework* (the Framework) is not engaged and the development should be determined in accordance with the development plan.

12. Moreover, whilst I accept that the Framework encourages the efficient use of housing land in Section 11 it goes on to make the point in paragraph 124 that this should take into account maintaining an area's prevailing character and setting including residential gardens. As set out above the proposal fails to do so.
13. Although the Council has concluded that there would be no impact from the proposal in respect of living conditions its consideration concentrated, in the main, on whether there would be impact on the occupants neighbouring the site. There is however the matter of the size of the new dwelling. Overall the size of the property is just large enough to meet the recommended floor area for a 2 bedroom/3 person house in the Government's statutory guidance set out in the *Technical Housing Standards* (THS). However, the restricted width proposed for the new house in order to fit on the plot would in part result in the principal bedroom failing to meet the floor area standard (11m²) for a double bedroom set out in the THS. This would have an adverse impact on the living conditions for future occupants of the property contrary to Policy DM22 which seeks to ensure dwellings are fit for purpose and function well providing adequate space, amongst other things. Whilst of itself this would not be sufficient reason to dismiss the appeal, together with the concerns regarding the impact on character and appearance it serves to demonstrate that this is not a plot that should be developed for a separate dwelling.
14. I have been referred to the fact that the proposal has attracted no neighbour objections, nor any objections from technical consultees and that the Town Council is in support of the proposal. However, this of itself does not automatically mean that the proposal is acceptable in all respects or that harm would not arise.

Conclusion

15. For the reasons given above, whilst I acknowledge there would be benefit in terms of the provision of new housing, I am not satisfied that this alone justifies or outweighs the harm the development would cause to the character and appearance of this part of Hollow Road and St Nicholas Close . Accordingly, the appeal is dismissed.

P. D. Biggers

INSPECTOR