



Appeal Decision

Site visit made on 27 June 2023

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2023

Appeal Ref: APP/X3540/W/23/3314668

Marchwood, Martlesham Road, Little Bealings, Suffolk IP13 6LX

- 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 Mrs M Frenzel against the decision of East Suffolk Council.
 - The application Ref DC/22/2630/FUL dated 30 June 2022, was refused by notice dated 20 December 2022.
 - The development proposed is erection of 1 No new residential dwelling with detached garage in front of Marchwood.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. One of the reasons the application was refused was because it failed to contribute to the mitigation of environmental impacts on European Sites in the vicinity as a result of the new development and in particular recreational pressures on these sites. It has been confirmed by the Council that the financial contribution to mitigate impacts has now been paid by the appellant and therefore the second reason for refusal has been resolved. I will not therefore consider it further in my decision-making.

Main Issues

3. The main issues in this case are:
 - whether the location of the proposed dwelling would be an appropriate one given the countryside setting and
 - whether the development would have an adverse impact on the character and appearance of Martlesham Road.

Reasons

4. The appeal site sits on the south side of Martlesham Road, a ribbon of development lying beyond the settlement boundaries of Little Bealings which is identified as a small village under Policy 3.2 of the *Suffolk Coastal Local Plan* (SCLP). The site is formed from a subdivision of the extensive plot belonging to Marchwood a large detached brick and timber house in a contemporary style which sits well back from the road.
5. Marchwood is itself a replacement property to the White House which previously stood on the frontage and the opportunity was taken to set the new house well back from the road in line with neighbouring properties with a landscaped front

garden area now containing a substantial number of semi-mature trees. This is now proposed as the site of the new dwelling.

6. Martlesham Road has a differing character on its south side to its north side. On the south side the dwellings are large detached houses standing in extensive grounds set back from the road with the exception of Cedar Cottage adjacent to Marchwood on the east side. The character of this side is green and open with well-spaced development. By contrast the development on the north side is denser and more closely spaced some of it featuring tandem development ie development on the frontage and to the rear.

Whether the location is an appropriate one given the countryside setting

7. The appeal site as noted sits well outside the settlement boundary to the village of Little Bealings and as such is classed as open countryside where housing development falls to be considered under SCLP Policy 5.3. The policy allows, amongst other things, for the development of small numbers of new houses where there is an established cluster of houses. The opportunity to develop in a small cluster is closely controlled by SCLP Policy 5.4 and where the site is within an established garden also controlled by SCLP Policy 5.7.
8. It is agreed amongst the parties that Martlesham Road would constitute a cluster and the scale of development envisaged would comply with the policy. However, Policy 5.4 sets two further criteria that need to be met. Criterion b) requires that the development consists of infilling within a continuous built-up frontage and is in a clearly identifiable gap within an existing cluster. Criterion d) requires that it would not cause undue harm to the character and appearance of the cluster or, result in any harmful visual intrusion into the surrounding landscape. With respect to the first point, the site would not be infilling within a continuously built-up frontage. This is because the nature of development on the south side of the road, as already noted, has the properties well set back behind landscaped gardens which do not constitute identifiable gaps as they are part of the planned design of these plots. Even if I was to accept this criterion would be met, criterion d) would not be met as the development would cause harm to the character and appearance of this side of Martlesham Road - a point I consider further below. Moreover, as development within an established garden, the proposed house would fail to comply with the requirements of Policy SCLP 5.7 which requires the scale, design and materials of the development not to harm street scene character or adjacent properties.
9. It has been put to me that the appeal site was previously the site of the White House which stood on the frontage and closer to the road which the appellant considers justifies and supports the current siting. However, this property was demolished when Marchwood was developed and a conscious design decision must have been taken to set the new house back from the road similar to the neighbouring properties of Finn Toft and Bealings Holt establishing a green and landscaped frontage. I am not therefore persuaded that the earlier existence of the White House is in any way relevant in this case.
10. My attention has also been drawn to Cedar Cottage and the permitted dwelling to its rear as a justification for the now proposed tandem development at Marchwood. Whilst I accept this decision was taken by the Council, I am not aware of the circumstances in which the decision was made and in any event this form of tandem development is not a pattern that should be replicated given the context of the south side of Martlesham road.

11. As such the development would be contrary to SCLP Policies 5.2, 5.3 and 5.4.

Character and Appearance

12. As set out above there is a material difference between the character of development on the north side of the road and that to the south where the appeal site sits. I acknowledge that the north side is denser and does have recent examples of infilling between the frontage development and in a tandem arrangement (ie one dwelling behind the other). However, tandem development is not a feature of development on the south side other than Cedar Cottage and the recently permitted house to its rear (now completed) which is the exception rather than the rule on this side. The established character is of open, spacious development and houses set in large landscaped plots standing back from the road and Marchwood is a case in point where the house has been designed to be seen across a designed and landscaped frontage.
13. In this context to construct another house in front of Marchwood would be seriously detrimental to its character and appearance and would dominate the setting whilst eroding the green, open character on the south side of the road. I note that the Council's arboricultural officer has not objected to the inevitable loss of trees as they are still not yet mature and could be replaced. However, they present a fine frontage screen which would take a considerable time to replace and their substantial removal to accommodate the house will impact on the green, sylvan character of the south side of the lane. I have been invited to conclude that there would be sufficient space around both the existing house and the new dwelling however, compared to the frontage width and depth of Marchwood, the insertion of the new house would fundamentally and detrimentally alter the form of development.
14. Although it has been put to me that the proposed design and materials would be in keeping with the setting, in fact I am not persuaded that this is the case particularly in respect of Marchwood itself. The main house is a double gabled design with a curved frontage built in brick, brown tile and timber and has a 'muted' attractive appearance viewed amongst the trees whereas the appeal proposal is for a somewhat nondescript design finished in slate, white render and black boarding. These starker material choices may be in evidence on some of the north side properties but would jar against the softer palette used on Marchwood. In any event even if I was to agree the appeal proposal would constitute good design in its context this is no more than should be expected of any development and certainly not a justification for a new house at odds with the established pattern of development on the south side of the road.
15. For the above reasons the proposal would have a seriously harmful effect on character and appearance. This would be contrary to the criteria and objectives in both the housing policies in the SCLP 5.4 and 5.7 referred to above but also SCLP 10.4 on landscape character and 11.1 on design quality which requires development to respond to local context and the form of surrounding buildings.

Other Matters

16. Although the proposal would result in an additional house in a sustainable location contributing to housing supply in a small way, the Council can demonstrate over 6 years supply of housing land. The policies of the development plan relevant to housing supply can therefore be considered up to date and the 'tilted balance' set out in the Framework at Paragraph 11d) is not engaged.

17. I accept that the Framework recognises the value of small sites for housing delivery at paragraph 69 and at section 11 emphasises the need for effective use of land. However, paragraph 124 of the Framework makes it clear that this should not be at the expense of an area's prevailing character and setting including residential gardens. Development of the site as outlined above would have an adverse impact on the character and appearance of Martlesham Road and would outweigh the minor benefit in providing a single house.
18. I understand the appellant's objective (supported by a number of third parties) to downsize from what is a large house, with the appeal proposal enabling her to remain in the area. However, no evidence is presented to suggest that this objective could not be achieved in a different way avoiding impact on the character and appearance of the surroundings and thus I am not persuaded that this would outweigh the harm.
19. I have been invited to conclude that the development would perform well against the three sustainability objectives set out in the Framework. However, whilst it may have minor positive benefits in respect of the social objective by the provision of housing and a temporary beneficial impact on the economic objective as a result of construction, it would fail to meet the environmental objective. Development which would have an adverse impact on the character and appearance of this rural setting cannot be considered environmentally sustainable.

Conclusion

20. Notwithstanding the slight benefit the development would bring in adding to housing supply and enabling the appellant to downsize, this proposal conflicts with both the Framework and Development Plan policies. For the reasons above the appeal is dismissed.

P. D. Biggers

INSPECTOR