



Appeal Decision

Site visit made on 22 July 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2024

Appeal Ref: APP/F3545/W/23/3330803

Land rear of 5 Wratting Road, Haverhill CB9 0BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Richard Kitching of Ellis Estates against the decision of West Suffolk Council.
 - The application Ref is DC/23/0412/FUL.
 - The development proposed is a new residential building of multiple occupancy (HMO) providing 6No. residents' rooms and a communal area.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form states that the site address is 'Land at Les Ager Drive', whereas the decision notice and appeal form refer to the site address as 'Land rear of 5 Wratting Road'. I have taken the address from the decision notice and appeal form as this is a more precise description of the site. I do not consider that this has prejudiced any of the parties and I have proceeded on this basis.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of occupants of neighbouring properties, with regard to outlook and privacy.

Reasons

Character and appearance

4. The appeal site is to the rear of No 5 Wratting Road (No 5) and to the side of Les Ager Drive. Development in the area is varied but typically consists of two-storey buildings fronting the road. The land rises significantly from Wratting Road towards the rear of the site and from Cangle Junction. The properties fronting Wratting Road have been extended to the rear in differing forms and to the rear gardens are primarily single-storey outbuildings. Beyond Les Ager Drive, detached from the rear of properties at Wratting Road, is a cluster of two-storey dwellings.
5. The proposal is for a detached building towards the rear of the site. The building would be two-storey in scale with accommodation in the roof. The

capped roof would limit the overall height of the building. Whilst there are two-storey buildings in the vicinity the scale would be at odds with that of the single-storey development within the rear gardens of properties fronting Wratting Road.

6. While the development would be partly screened by the terraced buildings fronting Wratting Road, it would be prominent in views through the gap formed by Les Ager Drive. The position of the building on land considerably higher than the development fronting Wratting Road would accentuate the scale of the building. Although the building would be marginally above the ridge height of No 5, it would be an incongruous addition to the rear of development fronting Wratting Road and would be discordant with the scale of development within the neighbouring rear gardens.
7. The design and material finish would relate well with that of the surrounding development in Wratting Road and would assist with natural surveillance of Les Ager Drive. Nonetheless, the proposal would occupy the majority of the plot and would appear cramped in its plot. The substantial scale of the building on a constrained plot, would appear harmfully at odds with the existing development in the area, including the development fronting Wratting Road.
8. I conclude that the proposal would harm the character and appearance of the area. The development therefore conflicts with Policy CS3 of the St Edmundsbury Core Strategy 2010 and Policies DM2 and DM22 of the Joint Development Management Policies Document 2015 (JDMPD), which collectively require proposals to of enhance the area, address local distinctiveness and respect the character, scale, density and massing, utilising the characteristics of the locality and the National Planning Policy Framework (the Framework), which requires that developments function well and add to the overall quality of the area and are sympathetic to local character.

Living conditions

9. The land rises from the Cangle Junction towards the site. Consequently, the proposed building would occupy a raised position in relation to the flatted accommodation at Cangle Junction. The rear gardens of properties at Cangle Junction are shallow and there is limited separation between these dwellings and the site. While there are mature trees to the rear of No 3 Wratting Road (No 3), occupiers of the flatted accommodation have a generally open outlook with only the single-storey outbuilding towards the rear of the site.
10. The proposal would extend along the boundary of the site. Even though the proposal would incorporate features of visual interest, the presence of a building of significant mass close to flatted accommodation at Cangle Junction would result in significant visual intrusion. Through its substantial scale and raised position, the proposal would generate a harmful sense of enclosure, where the considerable expanse of the rear elevation and roofslope would dominate the outlook of occupants of neighbouring properties from within both the dwellings and the gardens.
11. The trees within the garden to the rear of No 3 would limit the visual effect of the proposal on the outlook of occupants of properties at Cangle Junction. Nonetheless, even when in leaf they provide only a partial screening of views from the rear elevations of the neighbouring properties towards the site.

Moreover, their retention cannot be controlled given their position outside of the site and are not within the ownership of the appellant.

12. The building would front Les Ager Drive and would include windows at first floor level and within the roof. The windows would provide views towards the rear part of gardens on the opposite side of Les Ager Drive. However, given the position of the building, the windows would be afforded with only oblique views towards the private external areas immediately to the rear of the properties. Due to the oblique angle and the separation distance from the rear of Nos 7, 9 and 11 Wratting Road, the proposal would not result in a harmful loss of privacy for occupants of neighbouring properties.
13. I conclude that the proposal would harm the living conditions of the occupants of neighbouring properties with regard to outlook. The development therefore conflicts with Policy DM2 of the JDMP and the Framework, which collectively require that proposals should not affect adversely the amenities of adjacent areas and residential amenity and ensure a high standard of amenity for existing and future users.

Other Matter

14. The proposal would provide HMO accommodation in a location within walking distance of the town centre and its associated facilities and services. The development would contribute towards meeting a demand for smaller properties through an effective use of land. Nevertheless, the contribution is limited by the scale of the development and would not outweigh the harm identified in respect of the character and appearance of the area and the living conditions of occupants of neighbouring properties.

Conclusion

15. The proposal conflicts with the development plan. Material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR