

Appeal Decision

Site visit made on 1 November 2016

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 November 2016

Appeal Ref: APP/J3530/D/16/3158891

135 Undercliff Road West, Felixstowe, Suffolk IP11 2AQ

- 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 and Mrs T Howard against the decision of Suffolk Coastal District Council.
 - The application Ref DC/16/1971/FUL, dated 29 February 2016, was refused by notice dated 11 July 2016.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension at 135 Undercliff Road West, Felixstowe, Suffolk IP11 2AQ in accordance with the terms of the application, Ref DC/16/1971/FUL, dated 29 February 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2237:16:00, 2237:16:01 and 2237:16:02.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effects of the proposal on:
 - the character and appearance of the host building and Felixstowe Seafront Conservation Area;
 - the use of South Beach Manson Gardens with particular regard to overlooking.

Reasons

Character and Appearance

3. The appeal property is a detached three storey dwelling sited at the end of a row of similar properties which face the seafront. The property's enclosed veranda, balcony and weather boarded walls help it to contribute positively to the seafront character of the Conservation Area. The publicly accessible South
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Beach Mansion Gardens are located to the side of the property and a footpath linking Undercliff Road West with Bent Hill allows views to the side and rear of the building, including the two storey splay bay windows on each of these elevations. There are further splay bay windows on the front, and opposite side, elevations.

4. The proposal is to replace the splay bay window on the rear elevation with a two storey, square sided extension. Whilst the extension would not match the existing splay bays, it would be consistent in shape with the square sided veranda and in shape, height and flat roof form with the two storey projection to the side of the building adjoining No 133. The proposed extension would be set back from the side of the building adjoining the public garden and, by virtue of its modest depth, would not dominate the rear of the building. It would be finished in matching weather boarding and the shape and banded arrangement of the windows would reflect the fenestration of other parts of the building.
5. Consequently, notwithstanding that the extension would be visible from the footpath and public gardens; I consider that it would not be out of character with the host building. As such, the proposal would comply with Policy DM21 of the Suffolk Coastal District Local Plan Core Strategy and Development Management Policies 2013 (LP) which requires extensions to not dominate the original building as well as respecting its plan form, period style and architectural characteristics. It would also accord with the Council's House Alterations and Extensions Supplementary Planning Guidance to the extent that it has similar aims.
6. For the same reasons, the proposal would also preserve the character and appearance of the Conservation Area. In doing so it would meet the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraph 131 of the National Planning Policy Framework.

South Beach Mansions Gardens

7. The ground and first floor windows in the rear elevation of the proposed extension would look onto the adjoining gardens. The Council considers that this could adversely affect the residential amenity of South Beach Mansions Gardens. However, there are existing ground and first floor windows in the rear elevation of the appeal property which allow similar views. Moreover, the area is currently public accessible and visible. Therefore, the slightly larger windows now proposed would have no material effect on the amenity of users of the gardens.
8. There is no substantive evidence to suggest that the proposal would adversely affect the living conditions of the occupiers of South Beach Mansion. The proposal would not, therefore, conflict with LP Policy DM23 insofar as it requires development to have regard to residential amenity, including privacy and overlooking.

Conditions

9. The Council has suggested a list of three conditions. I find that they meet the tests set out in the Planning Practice Guidance. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition

requiring the external materials to be used in the extension to match those of the existing building is necessary to safeguard the character and appearance of that building and the Conservation Area.

Conclusion

10. For the reasons set out above, the appeal should be allowed.

Simon Warder

INSPECTOR