
Appeal Decision

Site visit made on 12 December 2016

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 22nd December 2016

Appeal Ref: APP/W3520/W/16/3158378

The Old Telephone Exchange, Station Road, Claydon, Suffolk, IP6 0HS

- 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 Roderick Allen against the decision of Mid Suffolk District Council.
 - The application Ref 0469/16, dated 31 January 2016, was refused by notice dated 17 March 2016.
 - The development proposed is the demolition of existing store, conversion of existing office to a dwelling and rear single storey extension to replace store.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing store, conversion of existing office to a dwelling and rear single storey extension to replace store at The Old Telephone Exchange, Station Road, Claydon, Suffolk, IP6 0HS in accordance with the terms of the application, Ref 0469/16, dated 31 January 2016, subject to the following conditions.
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 16/01 01 (site plan), 16/01 02 (floor plan) 16/01 03 (elevations) and 16/01 05 (landscaping details).
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Classes A and E of Part 1 of Schedule 2 to that Order shall be carried out.

Application for costs

2. An application for costs was made by Mr Southgate against Mid Suffolk District Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development upon living conditions of future occupants having regard to the provision of amenity space and noise and disturbance.
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Reasons

4. The appeal property is a disused telephone exchange, a single storey building which is brick with a pantile roof. The site is located within a residential area of Claydon. To the west of the site is a private drive which is lined by trees. This access serves a small backland development of detached dwellings called 'The Pines.' The appeal site is separated from this access and development by a tall closed boarded fence.
5. The appeal plot is long and narrow and incorporates an open parking area to the front. To the rear, there is a small area of outdoor space. The long linear extension to the building would be demolished and redeveloped to form the main living accommodation of the dwelling. This would have a square footprint and would create a larger area of outdoor space to the rear than exists at present.
6. The rear outdoor amenity space would be modest, however it would be adequate for use as a garden and there would be space for usual outdoor accretions such as a patio area, washing line and planting. I also consider that its size would be in keeping with the scale of the proposed converted and extended building.
7. The access driveway adjacent to the site serves 5 dwellings and it is accepted that there would be an average of 6-8 vehicular movements per dwelling per day. However, in terms of prevailing conditions, Station Road is a busy main road and at my site visit the traffic along the A14, as a main trunk road, was audible from the appeal site.
8. In this context, I am satisfied that any disturbance from the modest levels of traffic using this access would be likely to be insignificant in comparison to existing ambient noise levels currently experienced in this area. Moreover, vehicular movements along this access would also be variable at different times of the day and the trees which separate the appeal site from the access would also help to provide a buffer.
9. Furthermore, while No 5 The Pines has a forecourt area for vehicular parking and turning, this is located behind No 11 Station Road. Accordingly, I find that there is a reasonable separation distance from the rear garden of the appeal site which would limit any impacts from any vehicular manoeuvres.
10. On this basis, I do not, therefore, consider that the small size of the proposed rear amenity space in combination with the presence of The Pines development and its access would give rise to a significant level of disturbance which would be materially harmful to future occupants of the appeal property.
11. Overall, I conclude that the development would not adversely affect living conditions of future occupants. Accordingly, the development would accord with Policies H13 and SB2 of the Mid Suffolk Local Plan (1998) which seek to avoid development that has a material adverse effect upon amenity.

Other Matters

12. Concern has been raised by neighbours in respect of highway safety, overlooking, character of the area and the effect of the extension on trees.

13. There is no evidence that the development would adversely affect highway safety and I am mindful that the Highways Authority raised no objection. As a single storey dwelling I am satisfied that the development would not give rise to overlooking. I also see no reason to dispute the conclusions of the Council in respect of the character and appearance of the area and trees.
14. Finally, any subdivision of the building for dwellings would require planning permission and impacts would be considered at that time.

Conditions

15. Conditions setting a time limit for the commencement of development and for it to be carried out in accordance with the approved plans are necessary for certainty. I have amended the wording of the latter condition, however, as any amendments would be dealt with via a formal application process and the detail regarding the red line site plan is unnecessary.
16. Given the modest scale of the appeal building and plot, I consider it is necessary to restrict permitted development rights in respect of the enlargement and alteration of the building as well as the erection of further structure and I have imposed a condition for these purposes, again amending and simplifying the wording as suggested by the Council for clarity.

Conclusion

17. For the reasons given above, taking into account all other matters raised, I conclude that the appeal should succeed.

C Searson
INSPECTOR