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## Appeal Decision

Site visit made on 9 May 2017

**by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC**

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

**Decision date: 26<sup>th</sup> May 2017**

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**Appeal Ref: APP/H3510/W/17/3168630**

**15 The Street, Icklingham, Suffolk IP28 6PS**

- 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 R. Kettridge against the decision of Forest Heath District Council.
  - The application Ref DC/16/2045/FUL, dated 12 September 2016, was refused by notice dated 30 November 2016.
  - The development proposed is conversion of annexe into an independent one bedroom dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for the conversion of annexe into an independent one bedroom dwelling at 15 The Street, Icklingham, Suffolk IP28 6PS in accordance with the terms of the application, Ref DC/16/2045/FUL, dated 12 September 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 plan: Drawing No. 9316.
    - 3) Before the development is first occupied, details of the areas to be provided for storage of refuse/recycling bins shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the development is first occupied and shall be retained thereafter.
    - 4) Before the development is first occupied, the area within the site shown on the approved plan for the purposes of manoeuvring and parking of vehicles shall be provided and shall be retained thereafter.
    - 5) Before the development is first occupied, clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter retained in the area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).
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## **Main Issues**

2. The main issues are the effect of the development on:
  - (a) the character and appearance of the area;
  - (b) the living conditions of future occupants of the development in terms of private external space provision and privacy; and
  - (c) the living conditions of occupants of neighbouring properties in terms of noise and disturbance.

## **Reasons**

### *Character and appearance*

3. Icklingham is focused along The Street, but there is no clear pattern of development in terms of plot and building sizes and there is much variety in terms of the set back of buildings from the main road. There are examples of existing backland development in cul-de-sacs such as The Hall Close along with recently constructed properties set behind other properties such as 12A The Street. The overall character and appearance of the area is thus varied and informally laid out.
4. The existing annexe already gives the impression of a separate residential unit rather than ancillary structure by virtue of close boarded timber fencing and gates perpendicular to the front elevation that enclose external space for parking and private garden. Tall fencing along the northern boundary of the appeal site screens adjoining land and views to the wider countryside and the site is not hugely visible from The Street.
5. The proposed conversion of the annexe would result in a property and plot smaller than many in Icklingham. However, given the variety in property and plot sizes that exist in the village, and the location to the rear of existing properties, it would not be particularly noticeable or harmful to the grain of development. The backland nature of the development would not be out of character with other recent development in the village. It would be largely hidden from adjoining land and views to and from countryside by the existing boundary fencing. The external space would be proportionate to the scale of the dwelling, while the parking of vehicles next to the front elevation of a dwelling is commonplace in Icklingham. Thus, the development would not appear cramped or out of keeping.
6. Concluding on this main issue, the proposed development would have an acceptable effect on the character and appearance of the area. Therefore, it would accord with Policies DM2 and DM22 of the Joint Development Management Policies Document 2015 (JDMPD). Amongst other things, these policies seek development that recognises local distinctiveness and maintains a sense of place and character. The development would also meet the aims of the National Planning Policy Framework (NPPF) in terms of securing good design.

### *Living conditions of future occupants*

7. The existing annexe has an area of gravel next to the front elevation that can accommodate vehicle parking or outdoor seating. There is a raised area of grass between the gravel area and the rear garden of 15 The Street. On the

other side of the boundary fence perpendicular to the front elevation is a larger area of gravel in front of garages that can also be used for parking.

8. A one bedroom dwelling is unlikely to have a high parking requirement. Based on the appeal documents including the red line on the site plan, vehicles could be parked in front of the existing garages, freeing up the external space next to the front elevation of the proposed dwelling for outdoor activity. Even if vehicles were parked on the gravel next to the front elevation of the dwelling, the remaining private external space, including the raised garden area, would not be overly restricted for the size of property. Thus, the development would have an acceptable effect on the living conditions of future occupants in terms of private external space provision.
9. The existing boundary fencing provides adequate screening from the gravel area in front of the garages and so the private external space would not be greatly overlooked at ground floor level. There would be some intervisibility between the first floor windows on the rear elevation of 13 and 15 The Street, but the separation distance and existing boundary fencing would limit any negative effects arising from overlooking. Thus, the development would have an acceptable effect on the living conditions of future occupants in terms of privacy.
10. Concluding on this main issue, the proposed development would have an acceptable effect on the living conditions of future occupants in terms of private external space provision and privacy. Therefore, it would accord with Policy DM22 of the JDMPD which requires new dwellings to be fit for purpose and function well, providing adequate space, light and privacy. The development would also meet the aims of the NPPF in terms of securing a good standard of amenity for future occupants of land and buildings.

*Living conditions of occupants of neighbouring properties*

11. The existing gravel access from The Street and parking area in front of the garages already results in a degree of noise and disturbance arising from vehicles associated with 13 and 15 The Street, and the existing annexe will also generate some vehicle movements. As a small one bedroom dwelling, the proposed development would not result in a significant increase in vehicle movements along the access and parking area and so there would not be an unacceptable increase in noise and disturbance.
12. In terms of residential activity, the existing annexe will generate noise and disturbance from people entering and leaving the building and using the private external space. The difference in the level of residential activity from the conversion to a separate dwelling would, in all probabilities, be barely perceptible and so there would not be an unacceptable increase in noise and disturbance.
13. Concluding on this main issue, the proposed development would have an acceptable effect on the living conditions of occupants of neighbouring properties in terms of noise and disturbance. Therefore, it would accord with Policy DM2 of the JDMPD which requires development not to affect adversely the amenities of adjacent areas by reason of noise, vibration or volume of vehicular activity. The development would also meet the aims of the NPPF in terms of securing a good standard of amenity for existing occupants of land and buildings.

### **Conditions**

14. Conditions 1 and 2 setting a time limit for the commencement of development and for it to be carried out in accordance with the approved plan are necessary for clarity and compliance. Conditions 3, 4 and 5 are necessary to ensure adequate provision of bin storage, parking and manoeuvrability space and visibility splays in the interests of highway safety.

### **Conclusion**

15. The proposed development would have an acceptable effect on the character and appearance of the area and the living conditions of future occupants and occupants of neighbouring properties. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

*Tom Gilbert-Wooldridge*

INSPECTOR