
Appeal Decision

Site visit made on 27 June 2017

by Claire Victory BA (Hons) BPI MRTPI

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

Decision date: 1st August 2017

Appeal Ref: APP/R3515/D/17/3175355
78 Berners Street, Ipswich, Suffolk IP1 3LU

- 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 Ms Carol Woodcock against the decision of Ipswich Borough Council.
 - The application Ref IP/17/00021/FUL, dated 13 December 2016, was refused by notice dated 1 March 2017.
 - The development proposed is to install a drop kerb and create a parking area for two cars in front garden.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the application was determined, the appellant has submitted a further proposal which retains some of the front boundary wall and brick piers, and provides for only one car parking space. The Council's Senior Design and Conservation Officer has provided comments on the amended proposal and the Council maintains an objection. Nevertheless, the plan has not been re-advertised, and a new scheme would need to be considered by the Council as a fresh application in the first instance, as the appeal process should not be the means of evolving a scheme. For the avoidance of doubt, I have determined the appeal on the basis of the plans submitted with the planning application.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the Central Conservation Area.

Reasons

4. The appeal property is a semi-detached dwelling with a low brick wall to the front boundary with wrought iron railings above between brick piers, and a wrought iron gate. The front garden is laid with flagstones with some raised beds set out in a formal pattern. A magnolia tree is located close to the house near the boundary with No 76, the attached neighbouring property.
 5. No 76 has an open forecourt completely covered by hardstanding and dropped kerb across the entire frontage, and there are numerous examples of properties within Berners Street with a frontage entirely formed of hardstanding with a dropped kerb, many of which are in commercial use. The
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appeal property is one of a small number which have retained a front garden and have traditional front boundary treatments which complement the distinctive residential character of Victorian Villas within the street and which make a positive contribution to the character of the Conservation Area. The Central Conservation Area Character Appraisal highlights the important role of front garden plots within the conservation area.

6. The appellant has stated that the Magnolia tree would be retained. Even so, the removal of the front boundary treatment and attractive courtyard garden and its replacement with hardstanding would further erode the character of the conservation area, and would be contrary to policies DM5, DM8 and CS4 of the Core Strategy and Policies Development Plan Document Review (2017) and Central Conservation Character Area Appraisal. These policies seek, amongst other things, to protect and enhance conservation areas.
7. Given the size of the conservation area as a whole and the relatively minor scale of the proposed development, I consider that the proposal would cause less than substantial harm, and have therefore weighed any public benefits of the scheme against the harm that would be caused, in accordance with paragraph 134 of the National Planning Policy Framework.
8. The proposal would create two additional private car parking spaces within an area of high parking demand. Although this might slightly reduce the demand for on-street parking within the local area, it would not be sufficient to outweigh the material harm that would be caused to the character and appearance of the area. Thus the proposal would fail to accord with national policy.

Conclusion

9. For the reasons set out above I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR