



Appeal Decision

Site visit made on 5 August 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/R3515/W/19/3222542
555 Bramford Road, Ipswich IP1 5BA

- 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 Glenn Lebbon against the decision of Ipswich Borough Council.
 - The application Ref IP/18/01080/FUL, dated 28 November 2018, was refused by notice dated 28 January 2019.
 - The development proposed is change of use of single storey residential annex to separate dwelling and associated works.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appellant submitted an additional plan during the appeal. This included a cross section, indicating the relationship of the new dwelling to the existing property in terms of any overlooking to the northern amenity area. This provides additional information which the Council has seen and commented on in their appeal statement. I do not consider that interested parties would be disadvantaged and I have therefore had regard to this additional plan in my decision.

Main Issues

3. I consider that the main issues are:
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on the living conditions of existing and future occupiers of the host and proposed dwelling, with reference to size and quality of proposed amenity space; and
 - The effect of the proposal on highway safety in terms of the provision of car parking and access.

Reasons

Character and appearance

4. The subject building was granted planning permission in 2013 as a residential annex. At the time of this application the layout is understood to have included a kitchen, bedroom, bathroom and living area. A controlling condition was imposed to require that the extension (building) would not be occupied other than for purposes ancillary to the residential use of 555 Bramford Road and not as a separate residential unit. The parties broadly accept that the requirements of this condition continue to apply. This appeal relates to the proposed change of use of the annex, to a separate dwelling with associated works. I therefore have to consider the annex in the context of a new independent residential dwelling.
5. The appeal site lies within an established residential area to the north east of Ipswich. To the rear of the site lies a three storey flatted development, with a row of garages to the immediate east. The properties in Bramford Road are predominately two storey semi-detached dwellings set in small front gardens.
6. This appeal relates to a single storey building, located to the rear boundary of the host dwelling. Pedestrian access from Bramford Road, is through a very narrow covered passageway, that leads to the rear garden of No 555 and then the annex beyond. The garden is steeply sloped from the host property down towards the annex with an existing fence sub-dividing the garden. A further high timber fence bounds the rear of the garden from the flats and garages leaving a small paved area to serve the annex.
7. The building is utilitarian in appearance, lacking any design reference to either the host dwelling or the surrounding area. Moreover, its siting in the rear garden gives it a disjointed and isolated appearance when viewed in the context of the host dwelling and the wider area, where development fronting the road is the norm.
8. I acknowledge that the garden has already been subdivided. Nonetheless, the ancillary nature of the annex means that this lies within the control of the Appellant. By contrast as a separate dwelling, this is likely to be permanent. Therefore, whilst the current size of the plot is appropriate for a single dwelling, the resultant size of the remaining garden and amenity areas would be very small and significantly out of kilter with the host dwelling and other development in the area.
9. Accordingly, I find that the building would provide an independent dwelling that would appear both incongruous and isolated. The proposal would therefore cause significant harm to the character and appearance of the area and would conflict with Policies DM5 and DM13 of the Ipswich Borough Council Local Plan Core Strategy and Policies, Development Plan Document Review (2017) (LP). These policies when combined, seek to protect and enhance the special character and distinctiveness of neighbourhoods and protect the setting of existing buildings and the character and appearance of the area.
10. The appellant has referred to the site's planning history and suggests that the application which led to planning permission 13/00045/FUL should have been assessed by the Council as a proposal involving a separate dwelling. However, the appellant's description of the proposed development on the Design and

Access Statement, in summary was for the 'Erection of single-storey single bedroom residential unit to provide ancillary accommodation to the rear of 555 Bramford Road', which is almost identical to the description on the Council's decision notice. The application was clearly assessed as an ancillary building rather than a new dwelling with the controlling condition imposed.

Living conditions

11. As the annex was permitted on the basis of it being ancillary to No 555, the garden would have been used by both the host dwelling and annex. Albeit sited on a slope, it provides an amenity space of suitable size and quality. I also recognise that the garden could be divided on the whim of the owner without the need for planning permission.
12. The proposal would permanently divide the garden to provide amenity space for the proposed dwelling. The remaining garden would serve the host dwelling and would be some 50 square metres, which falls substantially short of the 75 square metres required by Policy DM3.
13. The proposed new dwelling would have a small amenity space to the north and use of the existing area to the south where cycle storage would be provided. A paved, fenced and ramped access, from the covered passage from Bramford Road to the annex is proposed. The dwellings would be divided by a 1.8 or 2.0 metre fence.
14. The two areas of amenity space for the proposed dwelling, are both very small and would be bounded by high timber fencing. This would give them a very strong sense of being enclosed, leading to an extremely poor quality amenity space. It is proposed that the amenity area to the south would also be used to provide cycle storage to the southern boundary, which further detracts from its quality and usability.
15. I have had regard to the additional plan submitted by the Appellant but find that with the proposed fencing of either height, the amenity area outside the living room, would still be overlooked from the upper windows of the host dwelling to an unacceptable degree.
16. Due to the topography of the site, scale and quality of the amenity space and the spatial relationship between the host and proposed dwellings, I find that the proposal would result in poor quality amenity areas for both the new dwelling and No 555. This results in significant harm to the living conditions for existing and future occupiers of both dwellings. The proposed scheme is therefore contrary to policies DM3 and DM13 of the LP, which seeks to ensure that new development delivers a suitably high quality and appropriate living environment and safeguards amenity. I do not consider that there are any extenuating circumstances that would lead me to a different conclusion.

Parking

17. Additional guidance on parking is set out in the adopted Suffolk County Council, Suffolk Guidance for Parking (2015). This provides a best practice guidance on the provision of parking for new residential development. It provides guidance on the minimum standards, referring to reductions in these standards under certain circumstances, including where development has been designed to be exceptionally sustainable in transport terms and which effectively promotes an

overall reduction in the use of high emission vehicles and avoids the provision of car parking adjacent or close to dwellings within the main layout.

18. There is no parking provision for the proposed dwelling and a single existing parking space for No 555. I saw at my site visit that there is some on street parking in the vicinity. The proposal would have no effect on the parking provision for the existing dwelling. However, the proposal if allowed would result in the creation of a new dwelling.
19. I acknowledge that the site is located in an urban area that has good access to public transport. Nonetheless, I have no evidence to suggest that occupiers of the proposed dwelling would not have access to a vehicle, which would undoubtedly result in additional on street parking pressure in the immediate area. Accordingly, I do not find anything that would justify a relaxation of the parking standards for a new dwelling in this location.
20. The access to the proposed dwelling is through a very narrow covered passageway adjacent to Bramfield Road, and then down a steep ramped pathway. This means that refuse bins, cycles and the usual larger items of household furniture and electrical goods, would have to be negotiated some distance. I find that this would be inconvenient and difficult for those with mobility issues.
21. For the above reasons I find the proposed development would fail to provide adequate parking or a convenient safe access for the proposed dwelling. It is therefore in conflict with Policies DM13 and DM18 of the LP, that together seek to ensure that new development is accessible and incorporates fully integrated and appropriate car parking.

Conclusion

22. For the above reasons. I conclude that the benefit of providing one additional dwelling, is significantly and demonstrably outweighed by the significant harm to the character and appearance of the area, such that the appeal should be dismissed.

Hilary Orr

INSPECTOR