



Appeal Decision

Site visit made on 4 November 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2019

Appeal Ref: APP/T3535/W/19/3235344
35/37 Ferry Road, Southwold IP18 6HQ

- 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 & Mrs Thomas Adalbert against the decision of East Suffolk Council.
 - The application Ref DC/19/1605/FUL, dated 16 April 2019, was refused by notice dated 26 June 2019.
 - The development proposed is described as demolition of the existing single family dwelling and residential annexe at 35-37 Ferry Road Southwold and construction of a replacement two storey 3 bedroom family dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the site address given on the appeal form rather than on the application form or decision notice, as this matches the address given in the description of development.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of the site and surrounding area with particular regard to the effect on the Southwold Conservation Area (CA); and,
 - Whether the proposed development would be of an appropriate size and scale for its countryside setting.

Reasons

Character and Appearance

4. The appeal site is within the CA. I am therefore required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The Southwold Conservation Area Character Appraisal recognised the cumulative value of the properties along Ferry Road, stating “they are a ‘character-full’ group of seaside vernacular buildings which should be preserved.” The individual dwellings show significant variance in height, size and appearance, particularly within the largely uninterrupted row of houses from No 21 to No 51, of which the appeal site is a part.
6. The appeal site is also within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). In accordance with paragraph 172 of the National Planning Policy Framework I have given great weight to the need to conserve and enhance landscape and scenic beauty in the AONB in determining this appeal.
7. The proposed development would result in a house significantly larger than the existing. The appellants have provided evidence of permissions that have been granted for the enlargement or larger replacement of several dwellings in the row. This information and what I saw during my site visit confirms that the proposed development would create a house that would be both one of the tallest and one of the widest in the immediate vicinity.
8. The plot is one of three of similar width in the row. The other two plots (Nos 49 and 43) are occupied by houses set further back from the road, and with roofs that mainly slope away from the road. The proposed dwelling would, as a result of its height, width and proximity to the front boundary of the plot and its front gables be an incongruous and dominant feature of the street scene. The development would therefore fail to preserve or enhance the character of the CA.
9. As material harm has been identified it is necessary to determine whether this amounts to substantial or less than substantial harm to the CA. As a replacement dwelling in a residential street, the harm would be less than substantial when weighed against the significance of the whole CA. The development would provide benefits in the form of improved accommodation in an area at risk of flooding. This is a significant benefit, but in this instance I consider that it is outweighed by the identified harm that would arise from the proposed development.
10. The proposed development would therefore result in harm to the character and appearance of the site and the wider CA and AONB, contrary to the requirements of policy WLP8.29 of the East Suffolk Council Waveley Local Plan Adopted 20 March 2019 (the LP). This policy requires that new development, among other criteria, demonstrate a clear understanding of the form and character of the built and historic environment and use this understanding to complement local character and distinctiveness, and respond to local context and the form of surrounding buildings in relation to the overall scale and character, and the height and massing of existing buildings.

Size and Scale

11. The proposed two-storey dwellinghouse would be much taller than the existing single-storey dwellinghouse on site. Policy WLP8.9 of the LP states that proposals for replacement dwellings in the countryside will be permitted where, among other criteria, the height of the replacement dwelling is similar to that of the original dwelling.

12. The appellants have provided evidence of permissions granted for significantly larger replacement dwellings in this row of houses. The Council states in their submissions that a two-storey dwelling on this site may be acceptable, given the need for increased flood resilience in this location.
13. The appeal proposal would reduce the overall width of development on the site by removing the garage and shed to the side of the existing house. This would increase the separation distance to the neighbouring property at No 33 and improve views through to the open land to the rear of the site. However, this must be balanced against the increased height of the building and the overall harm from the increased size of the proposed development. During my visit I saw several people using the path along the top of the dunes opposite the site, and I would expect it to be a very popular walking spot during throughout the year, especially on days of fine weather. The proposed development would reduce openness from this viewpoint. On balance, I consider that the development would result in a loss of openness in this countryside location.
14. The size of the proposed development as a result of its height and width would therefore result in a replacement dwelling of inappropriate size and scale in this countryside location. It would be harmful to its character, and contrary to the requirements of LP policy WLP8.9 which requires that such developments be sensitive to their countryside setting.

Other Matters

15. The appellants have stated that the design of the development features gables echoing those of the existing building. However, the existing building is a symmetrical design of modest height. The proposed building is asymmetrical, and the gables would contribute to the overall impression of dominance within the street scene.
16. The existing house is stated to be in poor condition as a single-storey structure below street level in an area prone to flooding. The principle of redevelopment is accepted by the Council, and I see no reason to disagree with this. However, any proposed replacement dwelling must be of a scale and design appropriate to the site and wider area.
17. The appellants have stated that the materials proposed for use on the exterior of the replacement house reflect local character, specifically the seaside vernacular typical of this part of Ferry Road. The use of appropriate materials is important in ensuring that a development is in keeping with local character. However, it would not be sufficient to offset the harm identified above.
18. The appellants have noted that there are matters not in dispute in considering this proposal. These include that the principle of a replacement dwelling is acceptable, that there will not be harm to neighbouring properties, no negative highways impact, that the proposal adequately mitigates flood risk, and that there would be no impact to ecology or trees. The absence of identified harm is a neutral consideration in determining this appeal, and in any event would not absolve any decision maker from undertaking their own assessment of these points.
19. The appellants have included revised plans prepared during consideration of the application by the Council. These were not formally submitted, and therefore have not been subject to public consultation. The revised plans

include significant differences in the appearance of the proposed development and the height of the roofs. In the absence of wider consultation it is not therefore appropriate for me to consider them in determining this appeal.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR