



Appeal Decision

Site visit made on 7 January 2020

by P Mileham BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st January 2020

Appeal Ref: APP/X3540/D/19/3239344

Daphne Cottage, 55 High Street, Aldeburgh IP15 5AU

- 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 Patrick Denny against the decision of East Suffolk District Council.
 - The application Ref DC/19/2540/FUL, dated 17 June 2019, was refused by notice dated 13 August 2019.
 - The development proposed is to remove most of hedge and small retaining wall which edges the pavement and replace with a proper surfaced area to park a normal sized family car.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. East Suffolk Council has been formed from the merger of Waveney District Council and Suffolk Coastal District Council. However, separate Local Plans currently remain in place across the respective administrative areas. Therefore, for the purposes of this appeal, the relevant Development Plan is the Suffolk Coastal Core Strategy and Development Management Policies Development Plan Document (2013) (the CSDMP).

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Aldeburgh Conservation Area (CA).

Reasons

4. The appeal site is a painted two storey mid terrace property located on the High Street and is part of the Aldeburgh CA. At the time of my visit the planting referred to in the Council's decision notice has been removed. The front boundary of the property comprises a metal gate with brick pillars either side and a low retaining wall rendered with cement with black detailed railings above.
5. The appeal property (No 55 High Street) and the adjoining dwellings (Nos 53 and 57) are identified in the Aldeburgh Conservation Area Appraisal Supplementary Planning Document (SPD) within the High Street Character Area as a good group of cottage scale houses forming a court with the adjacent cinema building. The SPD indicates that the significance of the Conservation

Area is derived from, amongst other things, the close spaced development along the parallel roads in the centre and the effect of the painted buildings which positively contribute to the character and appearance of the area.

6. The appeal site makes an overall positive contribution to the CA as a result of the appearance of the group of three painted dwellings and the court effect created by the relationship of the terrace with the adjacent cinema. The low front retaining wall by virtue of its rendered finish has a neutral effect on the CA and therefore preserves its significance.
7. The low wall and railings provide a broadly consistent boundary treatment with the adjoining properties. The appellant has indicated the railings are a modern addition and could be removed without requiring consent. The wall and railings are viewed in combination with Nos 53 and 57. As such, their removal would affect the contribution of the consistent property boundary to the terrace and adversely impact the courtyard effect with the adjoining cinema. However, even if the railings were removed, the presence of a formal low walled boundary maintains the coherence of the boundary as it follows at a similar height to the retaining walls of the properties on either side. The alteration of the boundary by removal of the low retaining wall would diminish the cohesiveness of the frontage resulting in harm to the character and appearance of the CA.
8. My attention has been drawn to a number of other examples of properties in the High Street that have parking spaces in the front gardens. I do not have full details of any permissions that may have been required for these examples; however, Nos 65 and 67 High Street differ as these dwellings have garages within their front elevations and do not have a similar courtyard effect as the appeal site. Number 84 has parking orientated differently than the appeal proposal and is a detached property that does not have the same contribution to the CA as the appeal site. Number 77 appears to have been used as a shop, and as a result its frontage including a shopfront and lack of any retaining wall or gates has a more commercial character. Number 91 is a more recent building and is closer to the road with the parking space slightly offset to the side of the front elevation. As such, these examples are not directly comparable to the appeal site and as a result, they are afforded limited weight.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I attached considerable importance and weight.
10. The appellant has indicated that the provision of a parking space in the front garden would provide a public benefit by reducing parking pressure in the town centre and allow for the provision of charging point to be installed and an electric car purchased. Although the proposal would provide for an additional space and charging point, I consider that the creation of a single space would make a very limited contribution to minimising parking pressure. Although Policy DM21 of the CSDMP indicates that Council will support and strongly encourage the use of renewable energy, even if a charging point were installed, the benefit of the purchase of an electric vehicle by the appellant is not a matter that could be secured through the planning process. As such, these benefits are afforded limited weight. As such, due to the limited public benefits

these are not sufficient to outweigh the harm identified to the significance of the CA.

11. In the context of paragraph 196 of the National Planning Policy Framework (the Framework) the aforementioned harm to the CA would be less than substantial. However, for the reasons outlined above, there are no identified public benefits that would outweigh such harm.
12. For the reasons given above, I conclude that the proposal would not preserve or enhance the character or appearance of the Aldeburgh CA. Therefore, it would not accord with Policies SP1, SP15, SP22 and DM21 of the CSDMP, which seek to conserve and enhance the area's natural historic and built environment, enhance and preserve the distinctive historical and architectural value of towns and villages, retains Aldeburgh's close-knit historic character and proposals that detract from the character of their surroundings will not be permitted.
13. The proposal would also fail to accord with Paragraph 196 of the National Planning Policy Framework (the Framework) which indicates that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.

Conclusion

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

P Mileham

INSPECTOR