
Appeal Decision

Site visit made on 4 February 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th February 2020

Appeal Ref: APP/F3545/W/19/3241282

4 Boundary Road, Red Lodge, Suffolk IP28 8JQ

- 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 Miss Lauren McGivern against the decision of West Suffolk.
 - The application Ref DC/19/1474, dated 10 July 2019, was refused by notice dated 9 October 2019.
 - The development proposed is demolition of existing defective dwelling and erection of a replacement dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing defective dwelling and erection of a replacement dwelling at 4 Boundary Road, Red Lodge, Suffolk IP28 8JQ in accordance with the terms of the application, Ref DC/19/1474, dated 10 July 2019, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Procedural Matter

2. On the 1st April 2019 Forest Heath District Council was dissolved and along with St Edmundsbury Borough Council became a new non-metropolitan district council known as West Suffolk Council.
3. The development plans for the merged local planning authority remain in place for the former area of the Forest Heath District Council until such a time as they are revoked or replaced. It is therefore necessary for me to determine this appeal with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site comprises a very modest detached single storey dwelling. The property is located on Boundary Road which is characterised by detached dwellings which vary in their appearance and design. Whilst predominately single storey development is evident on the opposite side of Boundary Road, there is two storey development directly behind the appeal site and adjacent to

- 2 Boundary Road. Further along Boundary Road I also observed properties which had been extended into the roof with dormer windows.
6. The area is of mixed character and includes both modern and older properties, however there is no clear pattern of development along Boundary Road. In particular the differing size and scale of properties creates a varied street scene.
 7. The development includes the construction of a replacement dwelling which would be similar in appearance to 2 Boundary Road but would be higher than that of the original dwelling to enable accommodation on the first floor. The increased height would lead to the dwelling being taller than the properties either side, however it would be lower than the two storey development to the rear of the appeal site. As a result of the presence of other two storey development both within Boundary Road and behind the appeal site, I consider that the overall height of the proposed dwelling would not appear overbearing or visually prominent within the street scene.
 8. Having regard to the general character of the area with its range of dwelling styles and heights, I consider that whilst the proposal would be both wider and taller than 2 Boundary Road, the dwelling would contribute to the overall character of the area. The design of the dwelling, with its gable end orientated onto the road, is similar to other examples in Boundary Road and therefore I consider the design would be appropriate within the street scene.
 9. The increased width of the dwelling does not result in an overdevelopment having regard to the overall size of the plot and there remains a good level of spacing between the properties on either side of the plot.
 10. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the area and would comply with policies DM2 and DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (DMPD) which require development to maintain local character and create a sense of place and policy CS5 of the Forest Heath Local Development Framework Core Strategy Development Plan Document 2001-2026 (with housing projected to 2031) 2010 which requires all new development to be designed to a high quality and reinforce local distinctiveness. The development would also accord with paragraph 124 of the National Planning Policy Framework which highlights the importance of good design.

Other matters

11. I note the concerns raised in relation to overshadowing and overlooking of Pine Close. I consider that having regard to the separation distance between 4 Boundary Road and the properties within Pine Close, and the current level of mutual overlooking of the rear amenity areas within Pine Close, the development would not cause an unacceptable loss of privacy, daylight or sunlight in comparison to the existing situation. I recognise that during construction there would be some disruption given the proximity to other neighbouring properties but this would be temporary and would be mitigated by a restriction on the hours of construction which could be the subject of a condition.

12. The access and parking arrangements would be satisfactory given the proposal utilises the existing access and there is no increase in the number of dwellings as part of the proposal. Also there is no evidence that highway safety would be compromised. Therefore, none of the matters raised provide a compelling reason why planning permission should not be granted.

Conditions and Conclusion

13. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. As well as the standard implementation condition, I have imposed a condition to ensure that the proposal is built in accordance with the approved plans to provide certainty
14. Due to the lack of detail on the submitted plans, a condition in respect of details of materials to be submitted in order to safeguard the character and appearance of the area is necessary.
15. In order to ensure an appropriate level of parking provision, I have imposed a condition requiring the parking spaces to be provided prior to occupation of the dwelling and retained for the life of the development. I have also imposed a condition requiring an electric vehicle charging point to be provided on site, in order to ensure adequate provision for charging plug-in vehicles. Given the proximity to other residential properties, I have imposed a condition limiting the hours of construction to protect residential amenity. Noting the requirements of policy DM7 of the DMPD I have also found it necessary to impose a condition relating to water efficiency.
16. I have not found it necessary to impose a condition requiring the existing access to be improved due to its existing standard which would be sufficient to serve the development, as there is no increase in the number of dwellings which the access will serve. I have also not imposed a condition relating to refuse and bicycle storage, as there is sufficient space within the proposed amenity space for storage of cycles. An area for bin storage is also indicated on the proposed block plan and therefore I do not consider a condition necessary.
17. For the reasons given above I conclude that the appeal should be allowed.

G. Pannell

INSPECTOR

Condition Schedule:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Block Plan dated 12/06/2019; Ground Floor Plan View; First Floor Plan View; Elevations; Street Scene.
- 3) Demolition or construction works shall take place only between 0800-1800 Monday to Friday, 0800-1300 Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 4) No development above slab level shall commence until details of the materials to be used in the construction of the external surfaces of the dwelling

hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

5) No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no. Block Plan dated 12/06/2019 for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for the those purposes.

6) No dwelling shall be occupied until an operational electric vehicle charge point with an electric supply to the charge point capable of providing at least a 7kW charge has been provided. The charging point shall thereafter be retained, unless replaced with an equivalent/improved charging point.

7) The dwelling shall not be occupied until the Building Regulations Optional requirement Part G (water efficiency) of Schedule 1 and regulation 36 (2b) to the Building Regulations 2010, as amended has been complied with.

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