



Appeal Decision

Site visit made on 29 May 2020

by David Wallis BSc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2020

Appeal Ref: APP/X3540/W/19/3243040

1 and 2 Hall Cottages, Hall Road, Charsfield IP13 7PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr and Mrs Ian Wood against the decision of East Suffolk Council.
 - The application Ref DC/19/3456/VOC, dated 30 August 2019, was refused by notice dated 15 October 2019.
 - The application sought planning permission for single storey front extension, dormer window to primary elevation, side and rear single storey extensions, external insulation and cladding to original dwellings to side and rear elevations without complying with condition 2 attached to planning permission Ref DC/19/1147/FUL, dated 8 May 2019.
 - The condition in dispute is No 2 which states that: *"The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with 18/011/BP/P A and 18/011/BP/E received 15th March 2019 and 18/011/1 and 18/011/2C received 18th March 2019 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority."*
 - The reasons given for the condition is: *"To secure a properly planned development."*
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Decision

1. The appeal is allowed, and planning permission is granted for single storey front extension, dormer window to primary elevation, side and rear single storey extensions, external insulation and cladding to original dwellings to side and rear elevations without compliance with condition number 2 previously imposed on planning permission Ref DC/19/1147/FUL, dated 8 May 2019, but subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 18/011/D/1A 28 August 2019 and 18/011/BO/P C 30 August 2019.

Preliminary Matters

2. The application was made retrospectively, as part of the development had been undertaken on site, and I was able to view this when conducting my visit.
3. On 1 April 2019 Suffolk Coastal District Council merged with Waveney District Council to become East Suffolk Council. The development plans for the merged

local authority remain in place for the former area of Suffolk Coastal District Council until such a time as they are revoked or replaced. I have therefore determined this appeal with reference to the policies in the plans produced by the now dissolved Suffolk Coastal District Council.

4. The emerging Suffolk Coastal Local Plan has been subject to examination and, subject to main modifications, is said to be capable of being found sound and legally compliant. I am cognisant that the plan may still be subject to change but afford its policies significant weight in view of their advanced stage of preparation.

Main Issue

5. The main issue is whether, as a result of non-compliance with the approved plans, the resulting development has an effect on the character and appearance of the host property and surrounding area.

Reasons

6. Nos 1 and 2 Hall Cottages (the cottages) are semi-detached dwellings surrounded by a wide rural landscape. They sit a modest distance back from Hall Lane, separated from the carriageway by maintained front gardens and low hedgerows. The cottages are highly visible from the public highway when in close proximity to the appeal site, but longer distance views are obscured by larger trees, hedgerows and the undulating nature of Hall Lane.
7. A number of works are permitted under DC/19/1147/FUL to take place at the appeal site, that combined would result in a significant cumulative change to the appearance of the cottages. Dormer windows with a cat-slide roof are already approved within the publicly visible roof slope that faces Hall Lane.
8. The proposed variation of the dormer design to incorporate pitched roof dormers instead of the cat-slide type would increase the amount of built form in the roof slope. Whilst wider than the approved dormers, the height and depth of the proposed dormers would remain generally consistent. However, the increased width would not be disproportionate in scale or bulk compared to the original cottages, retaining the majority of the roof's current expanse and profile.
9. The cottages' original simple and utilitarian form would become much more complex under the extant planning permission and I was able to view a proportion of these works on my visit. The proposed dormers would be a small component of these changes and would not therefore appear out of character with the cottages as modified.
10. Buildings are infrequent interruptions to the continuity of Hall Lane's green character. The appeal site already therefore has a notable urban presence within the landscape. In this context, the proposed dormer windows in themselves would be unlikely to dominate the surrounding area and would therefore would not harm the visual qualities of the wider rural setting.
11. The proposal would not have an adverse effect on the character or appearance of the locality. The proposed variation to the design of the dormer windows would not be contrary to policies SP15 or DM21 of the East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies, which seeks to ensure that proposals to

relate well to the scale, form and character of their surroundings. In addition, the proposal would not be contrary to the aims of the emerging policy SCLP11.1 in the Suffolk Coastal Local Plan, which seeks development to consider and respond to local context.

Conditions

12. I have imposed a condition requiring the development to be carried out in accordance with the approved plans, which detail the external materials to be used in the construction as well as the design, for certainty as to the development approved.
13. With reference and regard to the original planning permission for this development, no other conditions are necessary in this instance.

Conclusion

14. For the reasons given above, I allow the appeal.

David Wallis

INSPECTOR