



Appeal Decision

Site visit made on 15 June 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2020

Appeal Ref: APP/X3540/W/20/3247339
40 King Street, Felixstowe IP11 9DX

- 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 Julian Bobbin of James Francis Construction Ltd against the decision of East Suffolk Council.
 - The application Ref DC/19/2783/FUL, dated 11 July 2019, was refused by notice dated 16 September 2019.
 - The development proposed is erection of a single-storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - i) the effect of the proposal on the character and appearance of the area;
 - ii) the effect of the proposal on highway safety; and
 - iii) the implications for protected habitat.

Reasons

Character and Appearance

3. King Street is characterised by terraced housing with rear gardens that extend up to Crown Street at the rear. The appeal property is an end of terrace house and is adjacent to Cross Street which links those two streets. Planning permission has been granted for a new dwelling which would adjoin the side of the existing house, but this had not been built at the time of my visit.
4. The proposed dwelling would be at the rear of the garden and on the corner of Cross Street and Crown Street. There are garages and outbuildings to the rear of the King Street properties along one side of Crown Street. On the other side there are car parking areas and garage courts for adjacent blocks of flats. Notwithstanding the garages and outbuildings, Crown Street is open in character.
5. At the southern end of Crown Street, I saw that there is a recently constructed bungalow. This is at the very end of a cul-de-sac section of the street where there are two other bungalows opposite. These buildings form a group at one end of the street and are distinct from the character of the remainder of the

street. The proposal would be prominently sited on a street corner. In the absence of other significant frontage development and given the generally open context, the proposal would be intrusive and out of character.

6. Policy DM7 of the Local Plan¹ (LP) supports the sub-division of plots to provide additional dwellings provided that this would not result in a cramped form of development out of character with the area or street scene. The policy also requires that proposals are well related to adjacent properties and not designed in isolation. Policy DM21 requires development to establish a strong sense of place, and that it should relate well to the scale and character of its surroundings.
7. The proposal would have an isolated appearance, unrelated to surrounding development. It would adjoin or be very close to the site boundaries on three sides. The remaining garden would be divided into small gardens for the proposed dwelling, the previously approved dwelling and the existing dwelling, and a car parking area. The proximity of the proposal to its site boundaries and the intensive use of the remaining garden area would result in a cramped appearance. This would be out of character with the more spacious surroundings. For these reasons, the proposal would not accord with Policies DM7 and DM21 of the LP and would unacceptably harm the character and appearance of the area.
8. For these reasons also there would be conflict with Policies SP1 and SP15 of the LP which require enhancement of the character and quality of the built environment.

Highway Safety

9. The three proposed car parking spaces would be provided with a combined footway crossing of about 7.2 metres width. The Highway Authority requires such crossings to be limited to a maximum of 3 metres width in order to safeguard pedestrians from potential conflict with multiple vehicle crossings.
10. As well as this conflict, the Highway Authority states that the dimensions of the proposed car parking area, at 7.2m x 4.8m fall short of the Suffolk Guidance for Parking (2015) standard which requires 7.5m x 5m. Although the differences would be limited, the proposed parking spaces would nonetheless be sub-standard. The proposal would not accord with Policies DM19 and DM22 of the LP which require conformance with the adopted parking standards and adequate provision for parking areas. I conclude on this issue that the proposal would be unacceptable in terms of its effect on highway safety.

Habitat

11. The Suffolk Recreation Avoidance Mitigation Strategy (RAMS) requires a contribution from new housing development within a defined 13km zone of influence around designated European habitats, in order to provide mitigation measures against increased recreational pressure. The site is within such a zone of influence and the appellant has paid a contribution to the Council.

¹ Suffolk Coastal District Local Plan Core Strategy and Development Management Policies (2013)

12. In order for me to conclude on this matter, it would be necessary for me to carry out an appropriate assessment under the Conservation of Habitats and Species Regulations 2017. Given that I have found other harms that indicate that permission should not be granted, I shall not consider this further.
13. Policies SP14 and DM27 of the LP require protection and enhancement of biodiversity. Although the payment made by the appellant in accordance with RAMS would appear to satisfy the requirements of those policies I cannot reach a final conclusion in the absence of an appropriate assessment.

Overall

14. I take into account the social and economic benefits from provision of a small unit of housing within the built-up area and with access to services and facilities. Employment would be provided during construction. These considerations do not outweigh the harms that I have found, or the conflict with planning policies. For the above reasons the proposal would not improve the economic, social and environmental conditions in the area, and would not accord with Policy SP1A of the LP or with the LP as a whole.

Conclusion

15. For the reasons given, I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR