
Appeal Decision

Site visit made on 5 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 08 October 2020

Appeal Ref: APP/X3540/W/20/3252415

11 Cautley Road, Southwold, Suffolk IP18 6DD

- 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 Madeline Senior against the decision of East Suffolk Council.
 - The application Ref DC/19/3583/FUL, dated 12 September 2019, was refused by notice dated 13 November 2019.
 - The development proposed is three storey extension to north of property, new single storey rear extension, internal alterations and construction of new two bedroom end of terrace dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

These are the effects of the proposal on (i) the character and appearance of the surrounding built environment, including the setting of the Southwold Conservation Area (CA) and the nearby non-designated heritage assets¹, and (ii) the living conditions of the occupiers of 5 and 6 Critten Place and 9A Cautley Road, with particular regard to privacy and outlook.

Reasons

(i) Character and appearance of the surrounding built environment

2. The host dwelling is at the end of a terrace of quite substantial houses, built around the end of the 19th century. The others in this row are situated within the Seaside Corporation Character Area of the CA. Although No 11 falls just outside the CA boundary it is locally listed and, also like those adjacent, comprises a non-designated heritage asset.
3. The terrace has overall homogeneity in respect of general scale, proportions and siting. The row follows an even building line, with the houses set back a short distance from the back edge of the footway behind low brick front boundary walls. Through this arrangement, and the common plot widths, front facing roof gables and square bays, the terrace possesses a common pattern that provides a regular rhythm to the street scene appearance. Although the fenestration and detailing of the successive matching house pairs do vary, the terrace as a whole retains a coherent period character and a pleasing architectural integrity overall. Whilst No 11 continues the variation in both its

¹ Specifically nos 1- 11 (odd) Cautley Road

individual detailing and external finishing, it nonetheless observes the general form and character established by the preceding houses in the terrace.

4. The proposal relates to cleared land beyond the existing dwelling. This was once a side garden and had included a lean-to garage. The three-storey extension, forming part of this scheme, has already been built. This fits in reasonably well with the overall form and design of the terrace. The design of the two-bedroom house, which would be built onto this extension and occupy most of the remaining cleared site, is far less sympathetic.
5. The remaining part of the proposal would also front directly onto the street. As an adjunct onto the extended end to the existing terrace, it would comprise a prominent feature viewed from the public realm. The lower ridge height, contrasting form and somewhat unremarkable modern appearance would be entirely at odds with the historic terrace, with its more coherent form, finer architectural character and subtly varying yet complimentary detailed appearance.
6. The open side garden to No 11 provides a clear visual break between the well-defined appearance of the historic terrace and the contrasting and more recent development that continues beyond the adjacent low-level hut. The modern two-bedroom dwelling would interrupt this clear visual break and extend this historic terrace in both a weaker and incongruous fashion, failing to match its present more robust form and finer architectural character.
7. The National Planning Policy Framework (the Framework) defines the significance of heritage assets, in this case the CA and locally listed properties, as their value in architectural and historic terms to current and future generations. Significance derives not only from a heritage asset's physical presence, but also from its setting. The setting is further defined as the surroundings from which the heritage assets are experienced.
8. Paragraph 193 of the Framework requires that, when considering the impact of this proposal on the significance of the CA as a designated heritage asset, I give great weight to its conservation. This is irrespective of whether any potential harm amounts to being substantial or less than substantial to its significance.
9. I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. For the reasons set out above, the proposal would be of harm to the significance of the CA. Whilst the harm from this proposal would be less than substantial, I must nonetheless give this considerable importance and weight in the context of a statutory duty to favour preservation or enhancement.
10. Paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal. In this case, the benefits would be mainly private ones which would be insufficient to outweigh the harm found to the CA.
11. Paragraph 197 of the Framework requires I also take into account the effect of the proposal on the significance of the host dwelling and the others in this terrace as non-designated heritage assets. This requires a balanced judgement

having regard to the scale of any harm. Although a lesser test than in respect of that applied to the CA, the degree of adverse impact on the host dwelling as a non-designated heritage asset, as well as to the others in the terrace, adds to the harm I have already identified.

12. In respect of the first main issue, I conclude the proposal would have an adverse effect on the character and appearance of the surrounding built environment, harming the significance of the designated and non-designated heritage assets in this part of Southwold. As a consequence, this scheme would conflict with policies WLP8.29, WLP8.33, WLP8.37 and WLP8.39 of the Waveney Local Plan² (LP). This is insofar as these seek a high quality of design for infill development within the town, which both reflects local character and distinctiveness and conserves or enhances the settings of the CA and other heritage assets.

(ii) The living conditions of the occupiers of Critten Place and 9A Cautley Road

13. With the hut in between, there would remain sufficient distance between the side elevation of the development proposed and the rear windows of 5 and 6 Critten Place for there not to be any significant degree of harm to the living conditions of the latter with regard to either loss of light or outlook. The new dwelling would have a relatively short back garden and with rear windows at first and second floor would overlook the dwelling to the rear at no 9A Cautley Road. Without visiting this property, which I understand is currently rented out for short-term periods via Airbnb, it is difficult to assess the degree of overlooking and loss of privacy that might arise. The current owners raise no objections and future occupiers would have the benefit of consumer choice. On balance, I find there to be no material harm to the living conditions of any neighbouring occupiers, due to overlooking, loss of light, or any unduly overbearing effect. However, the lack of conflict with LP Policy WLP8.33 in this regard does not alter or outweigh the significant harm found in respect of my first main issue.

Balance and Conclusion

14. The new two bedroom end of terrace dwelling would provide good living conditions for its future occupiers by virtue of its location within an area with a wide range of amenities, including public open spaces, and where regular needs could be sustainably met without either long journeys or by relying on private car use. The dwelling would make a very small contribution towards the general need for homes. However, these benefits would not outweigh the adverse impacts found to the character and appearance of the surrounding built environment and to the settings of adjacent heritage assets. As a result, I find conflict with both the LP and the Framework, when each is considered as a whole. Having taken into consideration all other matters raised, I therefore conclude that the appeal should be dismissed.

Jonathan Price

Inspector

² East Suffolk Council – Waveney Local Plan (covering the former Waveney Local Planning Authority Area and adopted 20 March 2019)