



Appeal Decision

Site visit made on 16 November 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2020

Appeal Ref: APP/D3505/W/20/3252460

30 Collimer Close, Chelmondiston, Ipswich, Suffolk IP9 1HX

- 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 & Mrs R Bridgeman against the decision of Babergh District Council.
 - The application Ref DC/20/01040, dated 5 March 2020, was refused by notice dated 1 May 2020.
 - The development proposed is a single storey detached dwelling.
-

Decision

1. The appeal is allowed, and planning permission is granted for a single storey detached dwelling at 30 Collimer Close, Chelmondiston, Ipswich, Suffolk IP9 1HX in accordance with the terms of the application, Ref DC/20/01040, dated 5 March 2020, subject to the following conditions:
 - 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: 6212 3A and 6212 4.
 - 3) The car parking provision shown on the approved plan shall be provided before the dwelling is occupied and shall thereafter be maintained for this purpose.
 - 4) Construction work and deliveries to the site during construction shall only take place within the following hours:
08:00 hours to 18:00 hours Mondays to Fridays;
08:00 hours to 13:00 hours Saturdays; and
no working shall take place on Sundays and public holidays.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

Character and Appearance

3. The existing dwellings in Collimer Close are semi-detached bungalows which appear to date from the mid-20th century. They are of similar appearance, with shallow pitched gabled roofs and are faced in brickwork and render. The

- dwellings are arranged in a square around a central green which contains trees. The dwellings thus have a uniform appearance and the layout is geometrical.
4. The appeal site forms part of the garden of a corner property, which is larger than its neighbours. The proposed dwelling would be set back from the street frontage and to the rear and side of the host dwelling. Although it would differ from the established layout in terms of being set back, it would not be prominent in the street scene and would not disrupt the unified and geometric appearance of the Close.
 5. Furthermore, because of the generous size of the existing garden, the site can comfortably accommodate the proposed dwelling while providing adequate garden areas both for the proposal and the host dwelling. In these respects, the development would be in keeping with the existing density of development.
 6. The development would also complement the existing adjacent dwellings in terms of its design. Its height and roof design would be in keeping with those dwellings.
 7. The site is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). I noted on my visit that it is adjacent to an open landscape which extends to the Orwell estuary. However, it forms part of an established residential area. For this reason, the proposal would not harm the landscape and scenic beauty of the AONB. The Council has not raised any specific objection on this point.
 8. For the reasons given, the proposal would not conflict with Policy HS28 of the Local Plan (LP).¹ Amongst other matters, that policy resists overdevelopment and development that is not in keeping with adjacent dwellings in terms of scale, density and form. The proposal would also accord with Policy CN01 of the LP which requires new development to be of appropriate scale, form and detailed design.
 9. Policy CS15 of the Core Strategy² requires proposals to respect the local context and character, including the streetscape. Policy CS11 requires that development is well designed and appropriate in size/scale, layout and character to its setting. For the reasons given, the proposal would accord with those policies.
 10. I conclude on the main issue that the development would not adversely affect the character and appearance of the area.

Other Matters

11. Natural England has advised that the development falls within a 13km zone of influence for the Stour and Orwell Estuaries Special Protection Area and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy. This strategy considers that new housing within the zone of influence, when considered either alone or in combination, is likely to have a significant effect upon the interest features of European sites due to the risk of increased recreational pressure. It applies a tariff-based approach to new dwellings in this area, the contributions being used to fund mitigation measures.

¹ Babergh Local Plan Alteration No.2 (2006)

² Babergh Local Plan Core Strategy & Policies (2014)

12. The appellant has paid the requisite contribution. On the basis that this provides proportionately for mitigation against increased recreational pressure, the development would not adversely affect the integrity of the European sites.
13. I have taken into account all other matters raised but those matters do not alter my conclusion on the main issue.

Conditions

14. A condition requiring development to take place in accordance with the approved plans is necessary in order to provide certainty. I have imposed the suggested condition requiring the provision and retention of the parking spaces, in the interest of highway safety.
15. Permeable paving is proposed to the parking and turning area and a condition requiring submission of drainage details, as requested by the highway authority, would not be necessary.
16. The highway authority requested a condition requiring approval of a construction management plan, but the Council has not suggested such a condition. I have however included a condition limiting the hours of working as recommended by the highway authority in order to protect the living conditions of adjacent and nearby occupiers.
17. Details of external facing brickwork and roofing tiles have been provided with the application. These would be in keeping with the existing adjacent development and there is no need for a condition requiring approval of materials.
18. The Council has suggested a condition that would remove permitted development rights in respect of extensions, alterations, outbuildings and means of enclosure. Because the dwelling would be set back from Collimer Road, I find no justification for such a condition on grounds of appearance. Neither is there any justification in terms of impact on neighbours' living conditions. Consequently, I have not imposed this condition.

Conclusion

19. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR