



Appeal Decision

Site Visit made on 23 November 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2020

Appeal Ref: APP/X3540/W/20/3257605

The Toll House, 50 Victoria Road, Aldeburgh , IP15 5EJ

- 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 The Toll House Accommodation Ltd against the decision of East Suffolk Council.
 - The application Ref DC/20/1247/FUL, dated 18 March 2020, was refused by notice dated 13 July 2020.
 - The development proposed is Alterations and renovations to existing building. New gable roof with dormers to front and side. New side and rear extension to first floor and loft area with gabled roofs. Change of materials and new windows to create three number one bedroom flat conversions and three number two bedroom flat conversions. Extra parking spaces for use of garden to rear.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the Council issued its decision it has adopted the East Suffolk Council – Suffolk Coastal Local Plan (LP). The policies in the LP supersede those referred to in the Council’s delegated report. It is incumbent upon me to base my decision upon the most up to date planning policy and this is what I have done. The appellant had an opportunity to address the change in policy through their appeal submissions.

Main Issue

3. The main issues are the effect of the development on:
 - the supply of guest house accommodation;
 - the occupants of 44-48 Victoria Road, by virtue of noise and disturbance;
 - the safety and convenience of highway users; and
 - the character and appearance of the area.

Reasons

Supply of guest accommodation

4. Policy SCLP12.26 sets out the strategy for Aldeburgh and the need to retain a balance and cohesive community. The aim of the strategy includes a need to ensure that its role as a tourist centre and resort, offering a range of

accommodation is maintained. In addition, Policy SCLP6.6 requires existing tourist accommodation to be protected, and that changes of use will only be considered in exceptional circumstances where it has been demonstrated that there is no current or future demand for tourist accommodation.

5. I acknowledge that the proposal would result in the provision of smaller one and two bedroom units which are identified within the 2019 Strategic Market Housing Assessment as being required within the district and this would accord in part with Policy SCLP12.26. This requires new residential development to be targeted to meet the needs of the local community, to enable local residents to stay within the area. As such there is a tension between the two parts of the policy in this instance, where the loss of the tourist accommodation would be balanced to some degree by the provision of smaller accommodation.
6. Whilst I have been provided with details of a range of accommodation within the area surrounding Aldeburgh, it is clear that Policy SCLP12.26 seeks to retain the role of Aldeburgh as a tourist centre and therefore I consider that only accommodation within the Town should be considered as part of this policy. There is a link between both relevant policies, and in order to demonstrate that the accommodation is no longer required to meet demand there is a need, within Policy SCLP6.6, for it to be fully and satisfactorily demonstrated through the use of marketing evidence. There is nothing in the evidence before me to indicate that the appellant has carried out a marketing exercise and therefore the proposal is in conflict with Policy SCLP6.6.
7. Policy SCLP6.6 is clear that changes of use from tourist accommodation will only be considered in exceptional circumstances and this sets a high bar which I do not consider has been reasonably addressed within the evidence before me. It has not been fully and satisfactorily demonstrated that there is no current or future demand for tourist accommodation, such as that provided by the appeal site. I consider that only once this requirement has been met should any alternative uses be considered, including any that would meet the needs of the local community.
8. In conclusion, the development would adversely affect the supply of guest house accommodation within the locality, contrary to Policies SCLP6.6 and SCLP12.26 of the LP.

Living Conditions

9. The proposed dwellings would be served by a parking area providing 6 no. parking spaces and would be located directly behind the rear boundary of 44-48 Victoria Road. The result of the proposal is the need for the vehicles to pass close to the private amenity space of those properties. The additional noise and disturbance resulting from the increased traffic movements would be harmful to the living conditions of 44-48 Victoria Road.
10. I consider that noise from cars accessing, turning and manoeuvring within the site and utilising the proposed parking area, whilst modest, given its potential proximity would be detrimental to living conditions of neighbouring properties. Whilst planting and a fence could help to mitigate this effect, I do not have sufficient detail before me to determine the suitability of any such mitigation and I am concerned that these could lead to further unsatisfactory effects on living conditions in terms of outlook.

11. It has been put to me that the effect of the proposed development would be similar to that of the parking area approved under DC/19/3569/FUL. However, the positioning of the additional spaces closer to the rear boundary of the affected properties and the increase in the amount of movements associated with the development would add unacceptably to the noise and disturbance likely to be experienced by the occupants of 44-48 Victoria Road.
12. In conclusion, the development is contrary to policy SCLP11.2 of the LP which seeks to protect all existing and future occupiers from an incompatible neighbouring use in terms of noise and disturbance.

Highway Safety

13. The appeal site currently benefits from parking along the side of the guest house which is accessed directly from the track. The proposed development would result in the provision of 6 no. parking spaces and 3 no. visitor spaces.
14. Policy SCLP7.2 requires development to have regard to the parking standards contained within the Suffolk Guidance for Parking but indicates that the level of parking required will depend on the location, type and intensity of use. Although I have not been provided with a copy the parties agree that the proposed development would be required to provide an additional 2 spaces in order to meet the Suffolk Guidance for Parking and therefore the development conflicts with these requirements.
15. The appellant has indicated that it would be possible to provide an additional 2 parking spaces within the site. However, I have not been provided with a plan to demonstrate that this is achievable, and I am therefore not convinced it would be possible to provide spaces which would meet parking space standards. In addition, the provision of additional spaces within this area would add to my concerns with regard to the impact of the development on the occupiers of 44-48 Victoria Road. Therefore, I have considered the appeal on the basis that the proposed dwellings would benefit from only 6 parking spaces and 3 visitor spaces.
16. The proposal would result in additional dwellings within Victoria Road and therefore increase demand for parking on the street. Due to the proximity to the existing roundabout opportunities for off-street parking are limited. Increased parking demand in instances of limited supply may lead to additional congestion as drivers seek parking spaces, or park illegally, which would be detrimental to highway safety. There is no evidence to suggest that such circumstances could be avoided by the appeal proposal.
17. In particular, the location of the development adjacent to the access road which provides access to the fire station, community centre, car park and recreation ground adds to my concern that the impact of any parking congestion could be detrimental to the safe access and egress from those facilities.
18. I accept that the site is well located in relation to the services and facilities provided by Aldeburgh Town and therefore a reduction in the parking standards as set out within the Policy could be considered. However, I have not been provided with any details of local bus services which would be available to occupiers of the proposed development. Nor do the plans indicate any secure cycle storage which would offer an alternative form of transport to occupiers of

the flats. I note the appellants suggestion to provide details in accordance with a planning condition but given the limited space available there is insufficient detail before me to demonstrate that adequate cycle storage could be provided within the site.

19. Therefore, the sites sustainable location does not overcome my concerns that the shortfall proposed in this instance would lead to a lack of appropriate parking which would be detrimental to highway safety.
20. I therefore conclude that the proposed development would have a potentially harmful impact on highway safety and would conflict with Policy SCLP7.2 of the LP which sets out the need for developments to meet parking standards. The lack of appropriate parking would lead to inappropriate parking within the vicinity of the site harmful to highway safety.

Character and appearance

21. This part of Victoria Road is characterised by semi-detached pairs of dwellings with hipped roofs which increase in height with the modest incline of the road which is the main route into the town. The site is located opposite a roundabout which also provides access to the fire station, recreation ground and community centre. Its side elevation is visually prominent as you enter the town, as a result of the neighbouring dwelling being set further back from the road.
22. The proposed development would result in a change from a hipped roof to gable roof, increasing the overall ridge height of the dwelling and making a significant change to the external appearance of the building within the street scene. This will increase the prominence of the building, materially altering the character and appearance of the area. However, these alterations have already been granted planning permission under Ref DC/19/3569/FUL and the Council have raised no objection to this element of the scheme and there is nothing in the evidence before me to suggest that if the appeal were to fail that the approved scheme would not be implemented.
23. At the rear of the site a single storey extension will be replaced with a two storey extension including a dormer window to provide accommodation in the roof. This part of the site faces onto the fire station and is visible from the road leading to the recreation ground car park. Currently the rear elevation of the building is a mix of differing roof forms and extensions and does not add positively to the character and appearance of the area.
24. The proposed development would result in a well designed and coherent design which would significantly improve the rear elevation of the building, providing an enhancement to the appearance of the building when viewed from the public realm.
25. The proposal also includes the introduction of a dormer into the side extension, which would be visible from the public highway. The roof design of the dormer and its modest proportions, having regard to the overall scale of the roof, result in a proposal which is subservient to the main roof and therefore it would not appear discordant or incongruous.
26. The proposal also includes the provision of a covered bin store which would be located on the side of the property and would be visible from Victoria Road.

However, having regard to the modest scale of the store I do not consider its appearance would be detrimental to the character and appearance of the area.

27. I therefore conclude that the proposal would not have a harmful effect on the character and appearance of the area and would comply with policy SCLP11.1 of the LP which supports locally distinctive and high quality design which demonstrates an understanding of the local character and seeks to enhance these features.

Other Matters

28. The appeal site falls within a 'Zone of influence' for the European designated site of the Sandlings SPA and the Alde Ore Estuary SPA. Natural England has provided revised advice regarding the need to ensure that new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations.
29. As the competent decision making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.
30. I have taken into account that the development would result in additional dwellings, in an accessible location, that would contribute to housing supply in the area. However, these benefits are not of sufficient magnitude to outweigh my overall conclusion on the main issues. It would also not result in harm to the character and appearance of the area. However, this absence of harm is a neutral consideration that does not weigh either for or against the scheme.

Conclusion

31. For the reasons given above I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR