
Appeal Decision

Site visit made on 4 December 2020

by J D Westbrook BSc(hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2021

Appeal Ref: APP/D3505/D/20/3257793

120 Benton Street, Hadleigh, IPSWICH, IP7 5AZ

- 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 and Mrs Mark Mitchell against the decision of Babergh District Council.
 - The application Ref DC/20/01317, dated 30 March 2020, was refused by notice dated 26 May 2020.
 - The development proposed is the erection of ground- and first-floor extensions.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of ground- and first-floor extensions at 120 Benton Street, Hadleigh, IPSWICH, IP7 5AZ in accordance with the terms of the application, Ref DC/20/01317, dated 30 March 2020, and the plans submitted with it, 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: 446 101; 446 102; 446 103; 446 104, 446.105.
 - 3) Prior to the commencement of works above ground level, manufacturers details of the proposed roof tiles shall be submitted to and agreed in writing by the Local Planning Authority and shall be implemented and completed as approved.

Main Issue

2. The main issue in this case is the effect of the proposed extensions on the character and appearance of the Hadleigh Conservation Area and the setting of nearby Listed Buildings.

Reasons

3. The appeal site is located on the western side of Benton Street at the southern end of the settlement of Hadleigh. It includes a large bungalow, sited well back within the plot, with a garage/store building near the entrance to the site and a parking/turning area opposite. There are extensive gardens to the front and rear and open countryside beyond the rear boundary of the site. The proposed development would involve the construction of a first-floor extension above most of the bungalow, and small ground-floor extensions and alterations.

4. The front portion of the appeal property lies within the boundary of the Hadleigh Conservation Area (CA), although the bungalow itself is outside of the boundary. There is a recently built, small housing estate to the north of the appeal site, comprising a mix of two-storey and single-storey dwellings. To the south of the appeal site is a small detached house, No 122, that fronts onto the rear of the footpath along Benton Street. Beyond No 122 is No 124, which is another detached house that also adjoins the rear of the footpath. No 124 is a Grade II Listed Building. To the south of the Listed Building is a more modern detached house, set back a little from the front boundary. Finally, at the southern end of the settlement are Nos 130-134, which are also Listed Buildings that are built up to the rear of the footpath.
5. Policy CN01 of the Council's Local Plan (LP) indicates that all new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location. Proposals must pay particular attention to the scale, form and nature of adjacent development and the environment surrounding the site and the materials forming the external elevations and roofs of the buildings. Policy CN08 of the LP relates to Conservation Areas and indicates that proposals for the alteration or extension of an existing building, in a conservation area, or which have an impact on views into or out of a conservation area, should preserve or enhance the character of the conservation area or its setting, and be of an appropriate scale, form, and detailed design to harmonise with its setting.
6. In this case, the CA boundary would appear to be drawn in a way that emphasises the street frontage. Nos 122, 124 and 130-134 all are set immediately to the back of the footpath and form a clear visual tunnel when entering or leaving Hadleigh. This effect is strengthened by dense planting on the eastern side of the road, and by high brick walls along the frontages of the appeal site and the property opposite. Properties further north along Benton Street continue this theme, with buildings situated at the rear of the footpath.
7. The bungalow at the appeal property is set well back from the road, well beyond the rear building line of the other properties further south along Benton Street. It is also largely screened from view from the street by the boundary wall. The bungalow is currently around 5.5 metres high and the proposed first-floor extension would add a further 2 metres to its overall height. I do not consider that the modest nature of the increase in height, together with the distance of the bungalow from the street, would have any adverse impact on the character or appearance of the CA, since the eye is drawn instead to the heritage and other buildings along the street frontage. Moreover, the bungalow is more readily assimilated visually as relating to the new housing development immediately to the north, which already contains dwellings of a similar scale to both the existing bungalow and its proposed two-storey form.
8. The Council has indicated that the design, materials, form and scale of the proposed development are considered to respect the character of the host dwelling, not constitute over development of the plot, and not harm local distinctiveness. I concur with this view. The Council also contends that creating a taller, more obvious building, albeit with a rather less unattractive aesthetic, cannot be argued to preserve or enhance the character of the Conservation Area. I agree that the proposal would result in a less unattractive aesthetic, which is a positive change. However, the mere fact that the building would be taller and more obvious does not necessarily equate with harm and,

in this case, I consider that the proposed development would respect the context of both the two-storey buildings further to the south and the mix of dwelling types and heights in the new development to the north. Furthermore, by virtue of its siting, it would not be readily visible in the street scene and would not harm any significant views into or out of the CA.

9. With regard to the nearby Listed Buildings, I note that the only Listed Building in close proximity is No 124 Benton Street. The rear garden to No 122 Benton Street lies between the appeal dwelling and the Listed Building. Furthermore, No 124 itself is sited right at the front of its curtilage, and is not readily seen in the same context as the appeal property. Moreover, No 120 relates, if anything, more closely to the larger, more modern house at No 126, which has apparently been built in what was once part of the curtilage to the Listed Building, and which now forms a major part of its immediate setting. On this basis, I do not consider that the appeal bungalow effectively lies within the setting of the Listed Building at No 124, nor would the proposed development have any harmful impact on that setting, or to the settings of the other Listed Buildings situated further away.
10. In conclusion, I find that the proposed development would not be harmful to the character or appearance of the CA, nor would it be harmful to the setting of the nearby Listed Building at No 124 Benton Street. By virtue of its siting, limited scale, and the appropriateness of its design and materials, it would respect the character and appearance of its surroundings. It would not conflict with policies CN01 or CN08 of the LP. Accordingly, I allow the appeal subject to the conditions listed above.

Conditions

11. I have attached a condition relating to plans because it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. The Council has suggested a further condition relating to roof materials in the interests of the character and integrity of the heritage assets of the area. I do not consider that such a condition is necessary to protect the integrity of the nearby Listed Buildings, but I have included the condition in the interests of protecting the character and appearance of the surrounding area, including the CA.

J D Westbrook

INSPECTOR