
Appeal Decision

Site visit made on 16 February 2021

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2021

Appeal Ref: APP/R3515/W/20/3258039
527 Bramford Road, Ipswich IP1 5AU

- 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 M Green against the decision of Ipswich Borough Council.
 - The application Ref IP/20/00344/FUL, dated 21 April 2020, was refused by notice dated 19 June 2020.
 - The development proposed is erection of attached dwelling.
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Decision

1. The appeal is dismissed

Main Issues

2. The effects on the character and appearance of the area and whether the proposal provides for adequate living conditions, car parking and mitigation for wider impacts on European nature conservation sites.

Reasons

3. The proposal relates to the side garden of a semi-detached property, whereby the attached dwelling would create a terrace of three. The housing along this side of the road comprises an arrangement of such short terraces of small houses, tightly spaced to an even building line. Many properties have their waste bin stored at the front and where the former gardens are often used for off-street car parking.
4. Policy DM5 of the Council's development plan¹ (DP) requires all new development to be well designed, including by helping to reinforce the attractive physical characteristics of local neighbourhoods and the visual appearance of the immediate street scene. DP Policy DM13 seeks that small-scale infill such as that proposed protects the setting of existing buildings and the character and appearance of the area. Whilst the proposal would reflect the tight grain of terraced housing, the scheme would reinforce its less attractive physical characteristics, such as the lack of visual relief provided by gaps, the dominance of front garden car parking and bin storage. As such, the proposal would not be well designed in the sense it would accentuate the visually less satisfactory features in the street scene. In this respect there would be some material harm to the character and appearance of the area, in conflict with DP policies DM5 and DM13.

¹ Ipswich Borough Council Local Plan – Core Strategy and Development Plan Document Review – adopted 22 February 2017

5. The new dwelling would provide internal living space amounting to about 48 m², significantly less than the 58 m² sought by DP Policy DM30 for a two-storey, one-bedroom dwelling, which applies the Nationally Described Space Standards. The size of back garden would satisfy DP Policy DM3, which requires a minimum of 50 m² for a one, or two bedroom dwelling, although the fencing required to ensure privacy would tend to over shadow the narrow space, which would reduce the quality of amenity offered. This narrowness would not be convenient for having a shed or greenhouse, although I note other nearby dwellings have back gardens of similar dimensions. However, mainly due to the sub-standard internal space, in clear conflict with DP Policy DM30, the proposal would fail to provide adequate living conditions for future occupiers.
6. There would appear to be room to park an average sized car at the front of the dwelling proposed, although the scheme deprives the host property a parking space. The length of the parking space proposed would be significantly below that sought under local highway authority guidance², thereby giving rise to conflict with DP Policy DM18. Although access to parking at the rear via Dandalon Close exists, the sub-standard front parking would not avoid a moderate degree of further harm arising from this proposal.
7. The Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) provides strategic measures to off-set the increased recreational disturbance on European nature conservation sites arising from residential growth in this area. As this proposal falls within the recreational disturbance Zone of Influence for European sites along the Suffolk coast, the proposed dwelling might have a significant effect on these protected areas, when considered in combination with other planned development.
8. To address this situation, the Suffolk Coast RAMS seeks financial contributions from new developments to fund strategic mitigation. Although simply a matter of paying the set tariff, the lack of mitigation means I am unable to conclude that this proposal would have no adverse effect on the integrity of European sites protected under the Conservation of Habitats and Species Regulations 2017 (as amended). For this reason, the proposal conflicts with DP Policy DM31.

Planning balance and conclusion

9. The Council cannot demonstrate a five-year supply of deliverable housing sites, whereby, under paragraph 11 of the National Planning Policy Framework (the Framework), the DP policies which are most important for determining the application are deemed to be out-of-date.
10. The failure to mitigate for the proposal's effects on European sites along the Suffolk coast would mean the application of Framework policies that protect areas or assets of particular importance provide a clear reason for dismissing this appeal. Therefore, the tilted balance of Framework paragraph 11 d) ii is not in this case engaged.
11. The proposal would provide small social benefits towards meeting the Borough's housing needs, in a sustainable location, with further small benefits to the local economy from both the construction and additional household expenditure. However, even were the tilted balance to apply in this case, the

² Suffolk Guidance for Parking Technical Guidance – Suffolk County Council third edition May 2019

adverse impacts found in respect of character and appearance, and from inadequate living conditions, car parking and European site mitigation, would significantly and demonstrably outweigh the small benefits this scheme provides, when assessed against the Framework as a whole.

12. The presumption in favour of sustainable development provided by paragraph 11 of the Framework would therefore not apply. As a material consideration, this would thus not indicate the appeal be decided other than in accordance with the development plan, with which I find there to be conflict when considered as a whole. Therefore, for the reasons set out above and having considered all further matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

Inspector