



Appeal Decision

Site Visit made on 10 August 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday, 13 September 2021

Appeal Ref: APP/X3540/W/21/3269892

The Red House, 44 Cumberland Street, Woodbridge IP12 4AD

- 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 Sangster against the decision of East Suffolk Council.
 - The application Ref DC/20/2319/FUL, dated 25 June 2020, was refused by notice dated 1 September 2020.
 - The development proposed is the erection of new single-storey dwelling and detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was determined prior to the adoption of the new Suffolk Coastal Local Plan (2020) (the Local Plan). This plan has now been adopted and carries full weight in the decision-making process. As the main parties have had the opportunity to comment on this revised document, I do not consider it would cause prejudice to proceed on this basis.
3. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the Woodbridge Conservation Area.

Reasons

5. The appeal site consists of a less developed area to the rear of the existing dwelling. The appellant's dwelling and other neighbouring houses are arranged in a linear form. The site is within the Woodbridge Conservation Area (the CA). For the purposes of this appeal, the significance of the CA is derived from the presence of green areas that surround buildings. This gives the CA a more open and verdant character.
6. In consequence, areas such as the appeal site are an important feature of the CA and add to its intrinsic distinctiveness. Although the appeal site is relatively enclosed, views into the site are possible from neighbouring land. In consequence, the open and relatively less developed character of the appeal site is readily perceptible. Therefore, the appeal site makes a contribution to

the general open character that defines the CA. This occurs irrespective of the precise allocation of the appeal site.

7. The proposed development would result in a significant increase in the overall level of built form. Therefore, the development would conflict with the generally open character of the CA. In addition, the development would result in the loss of some of the appeal site's trees, in addition to some of the grassed area. This would arise from the proposed dwelling, in addition to the proposed garage, driveway and parking areas. Whilst some of these trees are younger than others, they make a valuable contribution to the general character of the CA. Therefore, the verdant character of the CA would be eroded.
8. In consequence, whilst the proposed dwelling would encompass a relatively small proportion of the wider appeal site, the development would also result in the erosion of the less-developed character of this section of the appeal site. This would be particularly apparent due to the lack of existing buildings on this part of the appeal site. In consequence, the proposed development would result in an adverse effect upon the CA.
9. I have had regard to the appellant's suggestion that a condition could be imposed that would result in the agreement of a landscaping scheme. However, such landscaping would not overcome the adverse effects arising from the loss of space and would take some time to become established. Furthermore, the screening effect may vary depending on health and season. Therefore, such a condition would not allay my concerns.
10. In addition, the development would result in the creation of an additional dwelling to the rear of the existing buildings. This means that the proposal would conflict with the predominantly linear form of existing buildings.
11. In addition, the proposed dwelling would be constructed to a more modern style of architecture and would feature a flat roofed element and have a relatively uniform mass. This would conflict with the prevailing character of the surrounding area, which broadly comprises traditional designed and proportioned buildings with pitched roofs. These differences would render the proposed development incongruous.
12. Although the proposed development would include a green roof, the resultant dwelling would be of a form that would not be common in the surrounding area. This would further erode the area's character.
13. This is a concern given the prominent nature of the proposed development. In particular, the proposal would be visible from a number of nearby properties, such as those in Cumberland Street. This means that the increase in built form would be readily perceptible. This effect would occur irrespective of the relatively few views from public areas.
14. Whilst some screening would be provided by a line of trees, which are identified on the submitted plans as being Beech trees. However, some elements of the development would be visible above these. In addition, the screening effect of this would vary depending on health and season. Therefore, the proposed building could become more prominent over time.
15. I have been referred to some other developments in the wider area. I do not have the full information regarding the planning circumstances of these before me, which lessens the weight that I can attribute to them. Nonetheless, these

developments are of different designs and in different locations. Furthermore, in some instances they are utilised for different purposes than the appeal scheme. Therefore, these schemes have different effects and do not overcome my previous concerns.

16. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the CA. Whilst the harm upon the Conservation Area as a whole would be less than substantial, it would breach the requirements of Local Plan Policies SCLP 5.7; SCLP 11.1; SCLP 11.3; and SCLP 11.5. Amongst other matters, these seek to ensure that new developments do not harm the character of the area; preserve or enhance the character and appearance of conservation areas; and demonstrate a clear understanding of the historic environment.

Other Matters

17. I note that in submitting the planning application, the appellant was attempting to overcome concerns previously raised by the Council. Whilst a matter of note, this does not outweigh my findings in respect of the main issue.

Planning Balance

18. The harm that would occur to the character and appearance of the CA would not be severe and therefore it would be 'less than substantial' within the meaning of the Framework. Paragraph 202 of the Framework requires such harm to be weighed against the public benefits of the proposal.
19. The proposed development would generate some benefits arising from the increase in the local housing supply, whilst ensuring an appropriate level of garden space in an accessible location. In addition, measures could be put in place to protect the retained trees and would generate some economic benefits arising from the construction process. However, these benefits would be limited due to the scale of the development and, in some instances, would be of a time-limited duration.
20. Therefore, when giving significant importance and weight to the special attention I must pay to the desirability of preserving or enhancing the character and appearance of the CA, I find that the harm that would arise from the proposal would not be outweighed by its limited public benefits. Accordingly, there would be a conflict with Paragraph 200 of the Framework as harm to designated heritage assets would not have clear and convincing justification.

Conclusion

21. The proposal would therefore have an adverse effect upon the character and appearance of the CA. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR