



Appeal Decision

Site visit made on 22 September 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal Ref: APP/F3545/W/22/3291792

Four Bays, 6 Back Street, Lakenheath IP27 9HF

- 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 S Lock against the decision of West Suffolk Council.
 - The application Ref DC/21/1746/FUL, dated 24 August 2021, was refused by notice dated 27 January 2022.
 - The development proposed is construction of one dwelling and garage following demolition of existing attached garage and boundary wall, including new garage for existing dwelling and relocation of vehicular access.
-

Decision

1. The appeal is allowed, and planning permission is granted for the construction of one dwelling and garage following demolition of existing attached garage and boundary wall, including new garage for existing dwelling and relocation of vehicular access at Four Bays, 6 Back Street, Lakenheath IP27 9HF in accordance with the terms of the application, Ref DC/21/1746/FUL, dated 24 August 2021, subject to the conditions set out in the schedule below at the end of this decision.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Lakenheath Conservation Area (CA).

Reasons

3. The appeal site is located within the CA. As such, I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing its character or appearance.
4. From my observations and the evidence, the significance of this part of the CA lies in the grander dwellings and communal buildings, which are set back from the road by stone boundary walls. There are examples of traditional and historic properties close by, however, there is a considerable amount of variation in terms of the appearance and design of the built form across the CA, including dwellings and buildings positioned adjacent or close to the road. The predominant use of red roof tiles and flint façade features gives the area a pleasant and consistent character.
5. The appeal site is set back from the road by a well-sized front garden. It is screened from public views closest to the junction of Mill Road and set behind the front building line of the adjacent dwelling on Back Street. A high boundary wall is located to the front of the site, obscuring much of the ground floor and

front garden. The appeal property has been extended and altered, with some original features, such as the shape of the openings and detailing being lost, and a new flat-roofed double garage and external cladding added. These alterations and the property make a neutral contribution to the character and appearance of the CA on Church Road.

6. The scheme would introduce garages forward of the front elevations of dwellings on this short row of properties where none currently exist. However, there are a range of buildings, and outbuildings, including garages along Back Street to the south, many of which are clearly visible from the road and some that have a significantly forward projection closer to the road, which would be seen alongside views of the appeal site.
7. The garages would, in part, be visible in the streetscene but would be discreet and understated as they would not be unduly high and would be seen against the backdrop of the host dwellings. The forward positions of the dwellings on either side of the appeal site and boundary wall and garden planting would also restrict the prominence of the garages being forward of the host dwellings. The garages would complement the respective materials used on the host dwellings with grey cladding and red roof tiles to match No 6 and red tile with brick, stone and decorative flint to match the proposed new dwelling. Therefore, the proposed garages would not be prominent with the streetscene nor would they appear at odds with the prevailing character and appearance of the CA in which they would be viewed.
8. The demolition of the attached garage and proposed subdivision of the site would result in plots similarly sized to other nearby dwellings. The positioning, scale, design and use of in keeping materials of the proposed dwelling would ensure it preserves the appearance of the CA. The alterations to the boundary treatments and access location are relatively minor changes that would be consistent with other similar arrangements nearby and would also not harm the appearance of the CA. The Council has no objection to these elements of the scheme and I also find no reason to disagree.
9. Consequently, the scheme would preserve the character and appearance of the CA. It would accord with Policies DM2 and DM17 of the Forest Heath and St Edmundsbury Local Plan Joint Management Policies Document (2015) which seek, amongst other things, to preserve or enhance the appearance of the CA, including views into, through and out of the CA and not adversely affect distinctive historic character.

Other Matters

10. The appeal site is located approximately 3100km from the Breckland Farmland Site of Special Scientific Interest (SSSI), a component part of Breckland Special Protection Area (SPA). The site is therefore located outside the 1.5km primary buffer zone around parts of the SPA designated for stone curlew but is within the secondary buffer, which is placed around grid squares containing five or more stone curlew nesting records. Based on the evidence before me, given the scale and type of development proposed, in this location, the scheme would not have a likely significant effect on the SPA, either alone or in-combination with other plans and projects. Natural England has been consulted on this case and has not objected, advising that the proposed development will not have significant adverse impacts on designated sites. The Council is satisfied that the

proposal will not have a likely significant effect and that an Appropriate Assessment is not necessary in this instance.

11. I acknowledge the Council's evidence that no policy changes have taken place following the refusal of a previous application on the site. I have however undertaken my own assessment and concluded the proposed scheme would be compliant with these policies for the reasons set out above.
12. I note the Council's comments in relation to examples put forward by the appellant. However, I find no harm from the proposal and therefore little weight has been given to these examples.

Conditions

13. The Council has suggested several conditions should the appeal be allowed. I have had regard to these in light of the advice contained within the Framework and the Planning Practice Guidance.
14. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
15. To protect the character and appearance of the area a condition regarding the external materials are imposed. A condition on noise mitigation is also required given the proximity to noise-generating sources.
16. For highway safety reasons and to ensure adequate parking is provided conditions are required to secure the stopping up of the existing access, road surfacing and edging, bin and cycle storage, the provision of parking for each dwelling and visibility splays.
17. A condition is imposed in relation to a programme of archaeological works, this information is required prior to commencement of the development and necessary due to the appeal site being located within an area of archaeological interest and the proposed development involves the excavation of ground levels.
18. Conditions have been attached in respect of a Construction Method Statement and restriction of demolition and construction work which are necessary to protect the living conditions of the occupiers of neighbouring properties and protect highway safety. Details on the Construction Method Statement are required prior to commencement in order to safeguard living conditions and the safe function of the adjoining highway.

Conclusion

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

A Hickey

INSPECTOR

Schedule of 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: 13791A, 13794A, 13795, 13789A and 13790.
- 3) No development above slab level shall take place until samples of the facing bricks and roof material have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) The access shall be completed in all respects in accordance with Drawing No. 13789A with an entrance width of 4.5 metres and be available for use before occupation. Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.
- 5) Prior to the new dwelling hereby permitted being first occupied, the access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
- 6) No development above slab level shall take place until details of the areas to be provided for storage of refuse/recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
- 7) Prior to the new dwelling hereby permitted being first occupied, the edge of the highway shall be properly indicated with granite kerbs as per drawing 13789A.
- 8) Prior to the new dwelling hereby permitted being first occupied, the site area shown on drawing 1379A for the purposes of the manoeuvring and parking of vehicles shall be provided and thereafter that area shall be retained and used for no other purposes.
- 9) Before the access is first used visibility splays shall be provided as shown on Drawing No. 1379A and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays
- 10) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- delivery hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 11) No demolition or development shall take place within the hatched area shown coloured on the submitted plan no. 13788 until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions - and if indicated by the Desk Top Study submitted with the application:
- the programme and methodology of site investigation and recording;
 - the programme for post investigation assessment;
 - the provision to be made for analysis of the site investigation and - recording;
 - the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - the provision to be made for archive deposition of the analysis and records of the site investigation;
 - the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 12) The new dwelling shall not be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 11 and the provision made for analysis, publication and dissemination of results and archive deposition.
- 13) Prior to the occupation of the dwelling: i) All of the noise protection and mitigation works associated with that unit/dwelling as detailed in the acoustic design statement included within noise report 2019938 ; shall be completed in their entirety in accordance with the approved details. Thereafter the approved works shall be retained.
- 14) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

END