



Appeal Decision

Site visit made on 29 May 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2024

Appeal Ref: APP/X3540/D/23/3330150

1 Blackshore Cottage, Blackshore, Southwold, Suffolk IP18 6TA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Alan Jones against the decision of East Suffolk Council.
 - The application Ref is DC/23/2727/FUL.
 - The development proposed is new dormer to rear, side deck over car port.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies within the Southwold Harbour and Walberswick Quay Conservation Area (CA). I have therefore had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area as set out at Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The appeal site is also within the Southwold Harbour and Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). On 22 November 2023 all designated AONBs in England and Wales became National Landscapes. The legal designation and policy status of AONBs are unchanged, but I have replaced reference to the AONB with the Southwold Harbour and Suffolk Coast and Heaths National Landscape (NL) in my decision to reflect this change.
4. 1 Blackshore Cottage forms part of a terrace of cottages that are identified in the CA character appraisal¹ as locally listed buildings and therefore comprises a non-designated heritage asset.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area, having regard to the location of the site in the CA and the NL, and the significance of a non-designated heritage asset.

Reasons

6. The CA partly derives its significance from the historical importance of Southwold Harbour as a Haven Port, the associative and historic value of the moorings and landing platforms at Blackshore Quay, and the historical and aesthetic value of the buildings within it.

¹ Southwold Harbour and Walberswick Quay Conservation Area Character Appraisal

7. The appeal property is at the end of a terraced row that is built of painted brick with a red pantile roof and brick corbelled eaves. The significance of the terrace, Blackshore Cottages, is derived from their simple architectural design and their spatial relationship to Blackshore Quay and Southwold Harbour. The appeal property, and the wider terrace, make a substantial contribution to the character and appearance of the CA.
8. The proposal includes the insertion of a cabrio style rooflight on the rear roof plane. It would be a large addition into the roof slope, prominently positioned close to the ridge. Due to its size and design, it would be seen as a discordant feature in the roofscape that would be prominent in views when approaching the site along York Road and from the public footpath that passes close to the rear of the terrace. The cabrio rooflight would appear particularly incongruous when opened to form a balcony as it would disrupt the uniformity and consistency of the roofscape.
9. The proposed elevated deck, enclosed by a steel balustrade, would extend across the entire width of the host property and would project out from the side elevation to a position very close to the road. The scale and position of the deck and the stairs that serve it, together with the use of non-traditional materials, would result in it being an incongruous feature introducing visual clutter to the side elevation. Accordingly, it would be harmful to the traditional character and appearance of the host property and the wider terrace. Furthermore, due to its prominent position adjoining the point of entry into the harbour area, it would be detrimental to the character and appearance of the CA for the same reasons.
10. The other elements of the proposal have already been approved and therefore the Council has not objected to them. Based on my observations, I have no grounds to disagree with the Council in this regard.
11. As locally listed buildings, Blackshore Cottages have been identified as making a positive contribution to the CA. As such, I do not accept that the dwellings on Ferry Road, which are not locally listed, have more significance to the character and appearance of the CA than Blackshore Cottages. Furthermore, whilst the Southwold Character Appraisal (SCAP) recognises that some modern development and alterations have remained sympathetic to the character of the area, in this case, for the reasons I have identified, elements of the appeal proposal are unsympathetic and harmful to the host building and the wider area.
12. I acknowledge that the proposals are not inconsistent with the key sensitivities that are identified at page 137 of the SCAP. However, these specifically relate to Ferry Road and are therefore not relevant to this appeal.
13. I find that the proposed rooflight and the elevated side deck would harm the character and appearance of the host building and the wider terrace. It would therefore fail to preserve the character and appearance of the CA as a whole and would harm the scenic beauty of the NL. In addition, for the same reasons it would result in a loss of significance of a non-designated heritage asset.
14. Paragraph 205 of the Framework advises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the

heritage asset or development within its setting and that this should have clear and convincing justification.

15. With reference to paragraph 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, due to the small scale of the development, the harm would be 'less than substantial' but, nevertheless, of great weight. Under such circumstances, paragraph 208 advises that this harm should be weighed against the public benefits of the proposal. In addition, paragraph 209 says that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
16. The proposed deck to the side of the appeal property could offer an evacuation point for the occupiers of Blackshore Cottages in the event of flooding. However, there is no compelling evidence before me that demonstrates that evacuation from the safe refuge provided by the existing first floor areas of the properties is not practicable or safe. I acknowledge the absence of objections from the Town Council or interested parties, however that does not amount to a public benefit.
17. Consequently, I conclude that there are no benefits of the proposal, public or otherwise, that would outweigh the harm that I have identified to the character and appearance of the CA. Moreover, for the same reasons the harm to the non-designated heritage asset would, in my balanced judgement, be unacceptable, notwithstanding the benefits of the proposal
18. I conclude that the proposal would harm the character and appearance of the CA and would harm the significance of a non-designated heritage asset, and the scenic beauty of the NL. It would therefore be contrary to Policy WLP8.39 of the Waveney Local Plan which requires that development in conservation areas is of a particularly high standard of design in order to preserve or enhance the character or appearance of the area. It would also be contrary to Policy SWD9 of the Southwold Neighbourhood Plan which seeks to ensure that high quality buildings are created. In addition, it would not satisfy the requirements of Section 72(1) of the Act.

Conclusion

19. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
20. I therefore conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR