

## BABERGH DISTRICT COUNCIL

<b>From: Head of Economy</b>	<b>Report Number: P66</b>
<b>To: Planning Committee</b>	<b>Date of Meeting: 29 October 2014</b>

### PLANNING PERFORMANCE – 1 JULY 2014 TO 30 SEPTEMBER 2014

#### 1. Purpose of Report

- 1.1 This report provides an overview of the number of planning applications and appeals which were considered by Development Management and an indication of performance against national indicators for the period 1 July 2014 – 30 September 2014.

#### 2. Recommendation

- 2.1 That the information contained within this report be noted.

#### 3. Financial Implications

- 3.1 There are no financial implications arising directly from the content of this report.

#### 4. Risk Management

- 4.1 There are no significant risks arising directly from the content of this report.

#### 5. Consultations

- 5.1 In view of the content of this report consultation has not been undertaken.

#### 6. Equality Analysis

- 6.1 There are no Equality implications arising directly from the content of this report.

#### 7. Shared Service/Partnership Implications

- 7.1 There are no Shared Service/Partnership Implications arising directly from the content of this report with the exception of the following:-

- The Babergh and Mid Suffolk Development Management service is transforming and has been designed on a “One Service Model”. Integration is taking place with a shared Operational Delivery team in place from the 1<sup>st</sup> July 2013 onwards, with staff working flexibly to address workload needs across both Councils. However the sovereignty of both Councils and the Local Planning Authority status remain separate.

## 8. Key Information

- 8.1 This quarterly report shows the performance of Development Management against National Performance Indicator 157: The Determination of Planning Applications and the former BVPI 204: Planning Appeals, which has been retained as a local performance indicator.
- 8.2 Government performance indicators require all local planning authorities to determine:
- 60% of major applications within a period of 13 weeks (16 weeks when accompanied by an Environmental Statement). Since 1 April 2008 the major category has been divided into large-scale and small-scale major developments but for the purposes of this report, they are combined. (A large-scale major application is defined as a development comprising 200 or more dwellings whereas a small-scale major application is defined as a development comprising 10 or more dwellings up to 199 dwellings);
  - 65% of minor residential and commercial applications within a period of 8 weeks (i.e. up to 9 dwellings or 1000 sq metres of floor space); and,
  - 80% of other applications (which are mainly householder applications) within a period of 8 weeks.
- 8.3 Local Planning Authorities were also required to monitor the number of appeals allowed against the authority's decision to refuse permission and express it as a percentage of the total number of appeals against the refusal of permission. An acceptable threshold was deemed to be 30% as it provided a useful indicator as to whether more applications were being refused in order to meet performance targets. Babergh has retained this indicator to monitor the outcome of appeal decisions. As can be seen from this quarter's performance there have been no allowed appeals; all have been successfully defended and dismissed.

### Applications Received and Determined

- 8.4 Table 1 provides an overview of the number of planning applications that were on hand at the beginning of the quarter, the number that were received during the quarter, withdrawn, on hand at the end of the quarter, and actually determined. Table 1A also shows how many applications were determined in accordance with the Scheme of Delegation expressed as a percentage of all decisions. A commonly held measure of good practice for delegated decisions is 90%. (As Members will be aware the Protocol for both Councils' Scheme of Delegation changed in April 2013 and are now identical). The second quarter's 2014 figures are 93.9% compared with the second quarter of 2013 which was 91.95%. The preceding eight quarter's figures are also detailed for comparison purposes.

<b>TABLE 1</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.9.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.09.14</b>
Number of applications on hand at beginning of quarter <sup>1</sup>	282	332	248	256	219	231	259	339	353
Number of applications received during quarter	304	242	302	298	264	289	255	305	323
Number of applications withdrawn	18	20	25	18	27	16	21	23	21

<b>TABLE 1A</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.9.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.09.14</b>
Number of applications on hand at end of quarter	336	242	257	206	195	238	242	291	329
Number of applications determined during quarter	232	312	268	330	261	266	251	330	309
Percentage of delegated decisions	88.36%	91.6%	85%	88.4%	91.95%	92.48%	91.6%	93.6%	93.9%

Source: General Development Control PS1 Return

### Performance Against Target

- 8.5 Table 2A shows the number of planning applications that were determined during the quarter in each of the three categories defined by NI 157. Table 2B shows how many of these planning applications were determined within the prescribed period as a percentage of all decisions within the relevant category. Table 2C shows the performance achieved for the period 1 April 2012 to 31 March 2013 and 1 April 2013 to 31 March 2014 and in comparison with the national target. It also provides an indication of the achievement against the national target.

<b>TABLE 2A</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.9.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.09.14</b>
Total number of <b>MAJOR</b> applications determined	9	8	6	13	9	11	10	14	4
Total number of <b>MINOR</b> applications determined	38	79	59	68	48	50	48	59	65
Total number of <b>OTHER</b> applications determined	185	225	203	229	204	205	193	257	257
Total number of applications determined during quarter	232	312	268	310	261	266	251	330	326

Source: General Development Control PS2 Return

<sup>1</sup> The number of applications on hand at the beginning of the quarter may be less than those on hand at the end of the previous quarter if the status of an application has changed after registration.

<b>TABLE 2B</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.9.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.09.14</b>
Percentage of <b>MAJOR</b> applications determined on time	33	37.5	66.67	69.2	71.43	81.82	60	92.86	100
Percentage of <b>MINOR</b> applications determined on time	50	46.84	59.32	60.29	66.67	70.00	54.17	52.54	36.92
Percentage of <b>OTHER</b> applications determined on time	61.08	59.11	75.37	85.49	81.86	86.83	71.5	77.43	69.65

Source: General Development Control PS2 Return

<b>TABLE 2C</b>	<b>Previous YTD 2012/13</b>	<b>Last YTD 2013/14</b>	<b>National Target</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.09.14</b>	<b>Direction of Travel YTD</b>
Percentage of <b>MAJOR</b> applications determined on time	42.4	69.77	60	60	92.86	100	Positive (above national target)
Percentage of <b>MINOR</b> applications determined on time	53.75	62.79	65	54.17	52.54	36.92	Negative (below national target)
Percentage of <b>OTHER</b> applications determined on time	66.71	81.67	80	71.5	77.43	69.65	Negative (below national target)

Source: General Development Control PS2 Return/Departmental Records

8.6 As will be noted the performance for Majors and Others exceeded the national target for last year and the category of Minors was only 3% below the government target (YTD). However in respect of planning performance for the second quarter of this year the following applies:-

- a percentage increase on Majors from the first quarter 14/15 to the second quarter 14/15 (from 92.86% to 100%)
- a percentage decrease on Minors from the first quarter 14/15 to the second quarter 14/15 (from 52.54% to 36.92%)
- a percentage decrease on Others from the first quarter 14/15 to the second quarter 14/15 (from 77.43% to 69.65%)

- 8.7 Whilst planning performance equated to 100% for this current quarter and now considerably exceeds national targets for Majors on year to date figures 2014/15, there are some Major developments with s106 Obligations that are nearing completion and will be issued shortly. When these are issued they will be determined out of time and it is therefore predicted that Majors performance will decrease in quarter three of this year. However planning performance has decreased slightly in the Others category and by more in the Minors category in this quarter.
- 8.8 In respect of Minor developments the significant decrease can be attributed to a number of factors including a current increase in the workload (numbers on hand went from approximately 235 on the 20<sup>th</sup> June 2014 to its highest (for some considerable time) of 390 on the 15<sup>th</sup> August 2014. This increase on hand also coincided with staffing level reductions (2 planning officers have left since August 2014). A review of the staffing levels across the Integrated Operational Development Team for Development Management is currently taking place and it is likely that advertisements will be placed shortly for vacant posts.
- 8.9 Further analysis from Table 2A of this report (page 3) indicates levels of application determination in the Minors Category over this quarter and others since 01/07/12. This Table shows that 65 cases were determined this quarter compared with 59 in the previous quarter. This current quarters outturn (Minors) is the third highest shown in the table which dates back to 01/07/12. As such the drop in performance is not due to lower levels of activity but due to higher numbers of older and out of time cases being determined.
- 8.10 To address this reduction in planning performance (both in the Minors and Others categories) a number of measures have been implemented around application start up processes which should benefit all categories of planning applications. This should improve our responsiveness when fully operational. In addition focused activity to bring about a reduction in the numbers of applications on hand will continue with the aim being to meet Governments targets.
- 8.11 In terms of delivery Members will be aware during the four quarters of 2013/14 that Planning Committee considered a number of significant Major planning applications including Guilford Europe Great Cornard, residential development at Armorex in Lavenham, Ganges at Shotley, 30 dwellings at Sproughton and an significant employment proposal in Nayland. In the second quarter of 2014/15 Planning Committee have also considered two Major housing developments at Capel St Mary for up to 24 dwellings and at Glemsford for 29 dwellings. Both these cases were considered against a range of policies including the new planning policies contained in the Core Strategy aimed at delivering growth within Villages. Determination of some of these cases and others will ultimately result in an increase in the supply of housing land and jobs within the District.

#### Planning Fees

- 8.12 Table 3 provides an overview of the income received from fee generating applications during the last quarter against the projected position for the quarter. Previous quarters figures are also included. It excludes listed building applications which do not attract a fee.
- 8.13 It was estimated that £379,500 would be received in planning fees during 2013/14. However as will be noted below, £450,884.50 has been received in total which is an increase of 18.8% over the anticipated position.

8.14 From Table 3 below it is clear that for the first quarter of this year, the number of fee earning planning applications received was at its highest since the earliest records in this Table (i.e. 273). However this figure has dropped slightly to 243 this quarter although the level of fee income received is still just above projected fee income (cumulative).

8.15 In addition to the income received from fee generating applications for the year 2013/14, a further £23,271.50 was received from the administration of non-material amendments to existing planning applications and submissions relating to the approval of information required by planning conditions against a revised budget estimate of £15,000. For the first two quarters of this year to date this figure cumulatively stands at £11,918.00.

<b>TABLE 3</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.09.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.9.14</b>
Number of fee applications received	215	203	230	243	223	260	271	273	243
Cumulative fees receive	218,919	331,102	412,327	77,924	201,728.50	302,163	450,884.50	113,807.50	191,346.50
Projected fee income (cumulative)	189,750	284,625	379,500	94,875	189,750	284,625	379,500	94,875	189,750

Source: Departmental Records

### Appeals

8.16 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. The previous eight quarters are shown for comparison purposes. As stated in paragraph 8.3 above the Councils success rate on appeals this quarter was 100%.

<b>TABLE 4</b>	<b>01.07.12 to 30.09.12</b>	<b>01.10.12 to 31.12.12</b>	<b>01.01.13 to 31.03.13</b>	<b>01.04.13 to 30.06.13</b>	<b>01.07.13 to 30.09.13</b>	<b>01.10.13 to 31.12.13</b>	<b>01.01.14 to 31.03.14</b>	<b>01.04.14 to 30.06.14</b>	<b>01.07.14 to 30.9.14</b>
Number of appeals allowed	7	0	4	1	5	6	4	3	0
Total number of appeals	17	7	11	11	15	13	14	13	9
Percentage of appeals allowed (%)	41.18	0	36.36	9.09	33.33	46.15	28.57	23.08	0

Source: Departmental Records

8.17 There has been no award of costs during this quarter.

8.18 The Appendix gives information relating to all the appeal decisions within this quarter, with the opportunity for Members to access the application details and the appeal decision using hyperlinks.

Source: Departmental Records

## 9. Appendices

Title	Location
Appeal Decisions 1 July 2014 to 30 September 2014	Attached

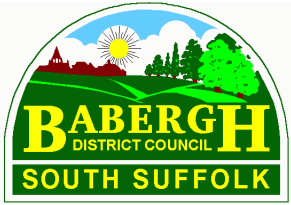
## 10. Background Documents

10.1 None

### Authorship:

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## Development Control Appeals Decided DC and EC

Version 6

Between 1-Jul-14 and 30-Sep-14

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### Development Control

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<b>Total Number of DC Appeals Dismissed:</b>	<b>9</b>
<b>Total Number of DC Appeals Decided:</b>	<b>9</b>
<b>Percentage of appeals allowed</b>	<b>0.00%</b>
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<b>Total Number of DC Appeals Outstanding:</b>	<b>11</b>

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### Enforcement Control

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**Total Number of EC Appeals :**

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**Total Number of EC Appeals Decided:**

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**Total Number of EC Appeals Outstanding:**



## Development Control

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Number of Written Representations	9	Granted:	0
Number of Informal Hearings	0	Granted:	0
Number of Public Enquiries	0	Granted:	0

### Dismissed

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**Final Decision:** Dismissed

**Application No:** B/13/00870 FUL

**Appellant:** Mr P Hassall

**Application decision:** Delegated

**Appeal Decision Date:** 17-Jul-14

**Appeal Procedure:** Written Representations

**Appeal Type:** Refusal of planning permission

**Location:** 29 Farthings Went, Capel St Mary, IPSWICH, IP9 2UJ

**Proposal:** Change of use of amenity land to residential curtilage and erection of wooden fence (following partial demolition of existing wall).

**Appeal Notes:** Key Issue(s): The effect of the proposal on the character and appearance of the surrounding area.

Conclusion: There are a number of boundary walls on the estate, which make a positive contribution to the distinct character and appearance of the area. They appear to have been part of the original design of the estate. Whilst there are some fences elsewhere, I consider that the proposed fence on such a prominent location would appear as an incongruous feature, not in keeping with the original overriding characteristic brick wall boundaries in the vicinity. Even with hedging planted outside the proposed fence, the openness of the appeal site would be lost. This would be to the detriment of the character and appearance of the area.

Application Details: <https://planning.babergh.gov.uk> (Search for B/13/00870)

Appeal Decision:

[https://planning.babergh.gov.uk/online-applications/files/C684426955D5696E4FDF08CBA15A8EE4/pdf/B\\_13\\_00870-APPEAL\\_DECISION\\_FROM\\_THE\\_PLANNING\\_INSPECTORATE-120075.pdf](https://planning.babergh.gov.uk/online-applications/files/C684426955D5696E4FDF08CBA15A8EE4/pdf/B_13_00870-APPEAL_DECISION_FROM_THE_PLANNING_INSPECTORATE-120075.pdf)

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**Final Decision:** Dismissed

**Application No:** B/13/00888 FUL

**Appellant:** International Flavours & Fragrances

**Application decision:** Delegated

**Appeal Decision Date:** 23-Jul-14

**Appeal Procedure:** Written Representations

**Appeal Type:** Refusal of planning permission

**Location:** Lodge Farm Barn, Lodge Farm Road, Glemsford

**Proposal:** Conversion of redundant agricultural building into 2 No. dwellings, as amplified and amended by details received 26th September 2013.

**Appeal Notes:**

Key Issue(s): The main issue to be the effect of the proposal on the promotion of sustainable rural economic growth.

Conclusion: The Inspector found that the proposal would make some contribution to the environmental role of sustainable development and to the social role in terms of the vitality of the local community. However, in terms of the economic role and the social role in terms of the creation of jobs and support for a strong rural economy, the Inspector found that the proposal would have an adverse effect on the rural economy. On balance, the Inspector considered that the very small benefits I have acknowledged would arise from the proposal are not outweighed by this harm. For this reason, taking the three dimensions together, the proposal would not be sustainable development. It would have an adverse effect on the promotion of sustainable rural economic growth. This would be contrary to saved Policy CR19.

Application Details: <https://planning.babergh.gov.uk> (Search for B/13/00888)

Appeal Decision:

[https://planning.babergh.gov.uk/online-applications/files/6BD494DC5D649D927097FA2500186650/pdf/B\\_13\\_00888-APPEAL\\_DECISION\\_FROM\\_THE\\_PLANNING\\_INSPECTORATE-120551.pdf](https://planning.babergh.gov.uk/online-applications/files/6BD494DC5D649D927097FA2500186650/pdf/B_13_00888-APPEAL_DECISION_FROM_THE_PLANNING_INSPECTORATE-120551.pdf)

**Final Decision:****Dismissed****Application No:****B/13/01519 ROC****Appellant:****East of England Co-Operative Soci****Application decision:**

Development Committee

**Appeal Decision Date:**

17-Sep-14

**Appeal Procedure:**

Written Representations

**Appeal Type:**

Refusal of planning permission

**Location:**

Wherstead Park, The Street, Wherstead, IPSWICH, IP9 2BJ

**Proposal:**

Application under section 73 of the Town and Country Planning Act (1990) to vary conditions 8 and 9 attached to B/09/00728/FUL to: reduce the potential number of Friday events from '52 events' to '27 events' per calendar year (condition 8) and increase the number of weekend events from '25 events' to '50 events' per calendar year (condition 9). As amplified by documents received 28/02/2014 and 05/03/2014.

**Appeal Notes:**

Key Issue(s): The main issue to be the effect of the proposed variations to Conditions 8 and 9 on the living conditions of occupiers of nearby residential properties, with particular reference to noise and disturbance.

Conclusions: The proposed variations to Conditions 8 and 9 would not increase the number of possible events at the site from the existing 97 per year. Instead, they would allow events to take place nearly every weekend. The Inspector considered that moving events from Fridays to the weekends is a material difference. On Fridays, it can reasonably be assumed that local residents who go to work in the daytime would only notice any noise and disturbance in the evenings. In contrast, it is reasonable to assume that, irrespective of whether or not the site is currently used to its permitted capacity, residents should reasonably expect some level of peace and quiet and respite from noise and disturbance at weekends.

Application Details: <https://planning.babergh.gov.uk> (Search for B/13/01519)

Appeal Decision:

[https://planning.babergh.gov.uk/online-applications/files/F0806EC3E7497347FF336733675E3927/pdf/B\\_13\\_01519-APPEAL\\_DECISION\\_FROM\\_THE\\_PLANNING\\_INSPECTORATE-127355.pdf](https://planning.babergh.gov.uk/online-applications/files/F0806EC3E7497347FF336733675E3927/pdf/B_13_01519-APPEAL_DECISION_FROM_THE_PLANNING_INSPECTORATE-127355.pdf)

**Final Decision:****Dismissed****Application No:****B/14/00133 FUL****Appellant:****Haydon Holdings****Application decision:**

Delegated

**Appeal Decision Date:**

10-Sep-14

**Appeal Procedure:**

Written Representations

**Appeal Type:**

Refusal of planning permission

**Location:**

Great Green Farmhouse, Great Green, Cockfield, BURY ST EDMUNDS, IP30 0HQ

**Proposal:** Erection of new dwelling within the garden of Great Green Farmhouse together with new means of access to public highway.

**Appeal Notes:** Key Issue(s): The effect of the proposal on the character and appearance of the surrounding area.

Conclusion: Whilst screened to some extent from public view by existing mature landscaping and proposed additional landscaping, the Inspector considered that the presence of the proposed built form in this part of the AVRA would significantly undermine the purpose of the AVRA designation. In the Inspectors opinion, this is an important undeveloped space within the AVRA. The significant amount of built form proposed on the appeal site would unacceptably detract from the verdant setting of the adjacent village green. Therefore, the Inspector concluded that the proposal would have an adverse effect on the character and appearance of the surrounding area.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00133)

Appeal Decision:  
[https://planning.babergh.gov.uk/online-applications/files/D2F5723B2D511A9ECB3773D56A27FCDF/pdf/B\\_14\\_00133-Inspector\\_s\\_decision-130984.pdf](https://planning.babergh.gov.uk/online-applications/files/D2F5723B2D511A9ECB3773D56A27FCDF/pdf/B_14_00133-Inspector_s_decision-130984.pdf)

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**Final Decision:** **Dismissed**

**Application No:** **B/14/00170 FUL**                      **Appellant:**                      **Ms C White**

**Application decision:** Delegated                      **Appeal Decision Date:** 23-Sep-14

**Appeal Procedure:** Written Representations                      **Appeal Type:**                      Refusal of planning permission

**Location:** Cymbelene, George Lane, Glemsford, SUDBURY, CO10 7SB

**Proposal:** Erection of 1 No. new dwelling.

**Appeal Notes:** Key Issue(s): i) the effect of the proposal on the character and appearance of the surrounding area, including the adjacent Glemsford Conservation Area; and ii) the effect of the proposal on highway safety in George Lane.

Conclusion: The proposed dwelling would be situated in the small L shaped side garden to Cymbelene, which is a modest bungalow. The proposed bungalow would be situated to the rear of the site and attached to the existing bungalow by a flat roof side/front projection. Whilst the terrace dwellings fronting nearby Egremont Street are of a high density, the configuration of the proposal relative to the lower density dwellings in George Lane would result in the proposed dwelling appearing cramped within the streetscene. The proposed flat roof and external boarding would appear at odds with the form and design of neighbouring dwellings, characterised by more traditional pitched roof design and materials. Even if traditional materials were used, due to the form, design, scale and siting of the proposed dwelling, this would not overcome the Inspectors concerns.

The proposal includes a new vehicular access onto George Lane. This is a narrow lane serving a group of dwellings. There would be limited visibility at the proposed access point and the limited site area would make it very difficult to turn around a car within the site. Thus, cars would be likely to back into or out of the parking space. The junction of George Lane and Egremont Street has poor visibility. The Highway Authority has stated that intensification of use of this junction is not acceptable. It is reasonable to assume that vehicles travel at low speeds along George Lane, due to its limited width. Nevertheless, I do consider that the proposed access arrangements would give rise to potential conflict between vehicles and pedestrians, to the detriment of highway safety.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00170)

Appeal Decision:  
[https://planning.babergh.gov.uk/online-applications/files/5E153B1E8563B04DA6248AF2E0F1925F/pdf/B\\_14\\_00170-Appeal\\_Decision\\_from\\_the\\_Planning\\_Inspectorate-131516.pdf](https://planning.babergh.gov.uk/online-applications/files/5E153B1E8563B04DA6248AF2E0F1925F/pdf/B_14_00170-Appeal_Decision_from_the_Planning_Inspectorate-131516.pdf)

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**Final Decision:** Dismissed

**Application No:** B/14/00265 FHA      **Appellant:** Mr M Betts

**Application decision:** Delegated      **Appeal Decision Date:** 9-Jul-14

**Appeal Procedure:** Written Representations      **Appeal Type:** Refusal of planning permission

**Location:** Teapot House, Grove Road, Bentley, IPSWICH, IP9 2DE

**Proposal:** Erection of front and side extension housing a swimming pool, gym, sauna and WC.

**Appeal Notes:** Key Issue(s): The effect of the proposal on the character and appearance of the host dwelling and surrounding countryside.

Conclusion: The proposed extension, due to its scale, design, siting and proportions would not reflect the traditional barn style and arrangement of both the host dwelling and adjacent agricultural buildings. As such, it would appear as an incongruous addition within an awkward layout, not in keeping with the traditional character or appearance of the host dwelling. In addition, the extensive glazing proposed would allow light pollution to spill out into the surrounding countryside. For these reasons, the Inspector considered that the proposal would be detrimental to the character and appearance of the surrounding countryside.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00265)

Appeal Decision:  
[https://planning.babergh.gov.uk/online-applications/files/54012CC2EA22F3F55E8517DE08BB7056/pdf/B\\_14\\_00265-Appeal\\_Decision\\_from\\_the\\_Planning\\_Inspectorate-132828.pdf](https://planning.babergh.gov.uk/online-applications/files/54012CC2EA22F3F55E8517DE08BB7056/pdf/B_14_00265-Appeal_Decision_from_the_Planning_Inspectorate-132828.pdf)

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**Final Decision:** Dismissed

**Application No:** B/14/00270 OUT      **Appellant:** Burrows Brothers

**Application decision:** Delegated      **Appeal Decision Date:** 28-Aug-14

**Appeal Procedure:** Written Representations      **Appeal Type:** Refusal of planning permission

**Location:** Bluewater Farm, Elton Park, Sproughton

**Proposal:** Erection of 1 No. detached two-storey dwelling and detached double garage.

**Appeal Notes:** Key Issue(s): Whether the site is suitable for housing development having regard to its countryside location for the purposes of the Local Plan.

Conclusion: The appeal scheme would amount to development within the countryside for which no special justification has been put forward. The Inspector therefore found that the appeal development would be contrary to the objectives of Policy CS2, insofar as it seeks to protect the countryside from unjustified development.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00270)

Appeal Decision:  
[https://planning.babergh.gov.uk/online-applications/files/BB984B0C3C77176EC3C667D3B0A310A0/pdf/B\\_14\\_00270-Appeal\\_Decision\\_from\\_the\\_Planning\\_Inspectorate-132952.pdf](https://planning.babergh.gov.uk/online-applications/files/BB984B0C3C77176EC3C667D3B0A310A0/pdf/B_14_00270-Appeal_Decision_from_the_Planning_Inspectorate-132952.pdf)

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**Final Decision:** Dismissed

**Application No:** B/14/00302 FUL      **Appellant:** B&H Properties

**Application decision:** Delegated      **Appeal Decision Date:** 11-Sep-14

**Appeal Procedure:** Written Representations      **Appeal Type:** Refusal of planning permission

**Location:** Land north of, 1-6 Ipswich Road, Brantham

**Proposal:** Erection of 2 No. detached bungalows, with associated garaging and vehicular access.

## Appeal Notes:

Key Issue(s): i) the effect of the development on the living conditions of the occupiers of nearby properties with particular regard to increased noise and disturbance; ii) whether the development would make adequate provision for open space; and iii) whether the development would make adequate provision for affordable housing.

Conclusion: In addition to the new constructions, the owners of the frontage dwellings would themselves use the driveway to access their garages at the rear. There is no evidence presented as to the expected number of vehicular movements that two additional households would generate per day. However, the Highway Authority considered that the development would be acceptable, providing adequate parking and manoeuvring space would be provided within the appeal site, and the Inspector had no reason to disagree. The Inspector also had regard to the previous Inspector's view in the appeal for the single dwelling, that the noise and disturbance arising from one additional dwelling was unlikely to cause unacceptable harm to the living conditions of the occupiers of the frontage dwellings. In the same way and in the absence of evidence to the contrary, use of the access by occupants of the two proposed dwellings would be likely to be intermittent over the course of a typical day. It is therefore unlikely to reach a level over and above its expected use by the three permitted dwellings that would cause material harm to the living conditions of existing or future occupants of those properties.

The appellant has pointed out that as at April 2014 there were surplus funds of £3,096.00 available to be spent within Brantham with no projects currently identified for new or improved open space. However projects are often funded by contributions from multiple sites and it would not be untypical for a small village for funds to remain unallocated until sufficient monies are available to finance an entire project. Whilst the Council has not identified a specific project that the financial contribution would fund, it has provided a copy of the Provision of Outdoor Recreation Facilities and Open Space Supplementary Planning Guidance (SPG), which states at paragraph 4.1 that monies would be spent locally on play space and sports facilities. Future occupants of the proposed dwellings may expect to use such local facilities and thus place an increased demand upon them. I am satisfied therefore that the requirement for a planning obligation in the terms set out by the Council would meet the tests of paragraph 204 of the Framework and the regulatory provisions of the Community Infrastructure Levy set out in Regulation 122

There was a previous application for three dwellings on the site which was refused (ref. B/13/00756/FUL) and indeed the block plan 1301-03A for the appeal proposal shows revision A as 'one dwelling removed' and has a title of '3 No proposed bungalows, land at rear of Nos 1-6 Ipswich Road...'. The submitted plans show adequate space for a third dwelling of similar size to the two proposed, together with parking and turning areas, as the Inspector observed on the site visit. Consequently the appeal site appears able to accommodate three dwellings, and thus there would be a reasonable expectation that a further dwelling would come forward for housing development in the future.

Therefore in accordance with the SPD, there is a requirement for on site affordable housing, or a financial contribution towards off-site affordable housing in accordance with Policy CS19, and the appellant has not provided a signed and executed Unilateral Undertaking or submitted any viability evidence to demonstrate why affordable housing should not be provided on the site.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00302)

Appeal Decision:

[https://planning.babergh.gov.uk/online-applications/files/9D99094758BF7C5F9CE90CEC0417705D/pdf/B\\_14\\_00302-Appeal\\_Decision\\_from\\_the\\_Planning\\_Inspectorate-133430.pdf](https://planning.babergh.gov.uk/online-applications/files/9D99094758BF7C5F9CE90CEC0417705D/pdf/B_14_00302-Appeal_Decision_from_the_Planning_Inspectorate-133430.pdf)

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<b>Final Decision:</b>	<b><u>Dismissed</u></b>		
<b>Application No:</b>	<b>B/14/00471 FHA</b>	<b>Appellant:</b>	<b>Mr P Owen</b>
<b>Application decision:</b>	Delegated	<b>Appeal Decision Date:</b>	29-Aug-14
<b>Appeal Procedure:</b>	Written Representations	<b>Appeal Type:</b>	Refusal of planning permission
<b>Location:</b>	6 The Gurdons, Assington, SUDBURY, CO10 5LW		

**Proposal:** Erection of a two-storey side extension, single-storey front and rear extension (following demolition of existing single-storey rear extension) and new driveway with dropped kerb.

**Appeal Notes:** Key issue(s): The effect of the proposal on the character and appearance of the area.

Conclusions: The proposed side extension would be of considerable bulk in relation to the existing dwelling. Its frontage would align with the main front wall of the dwelling and would project forward of it at ground floor level. For these reasons the extension would not be subservient in appearance to the dwelling. The Inspector noted that the roof would be slightly lower than the existing roof to the side projection but this would not be sufficient to provide a subservient appearance.

Application Details: <https://planning.babergh.gov.uk> (Search for B/14/00471)

Appeal Decision:

[https://planning.babergh.gov.uk/online-applications/files/9F29197A57EE08F8D0B5A950ABB9BE47/pdf/B\\_14\\_00471-Appeal\\_Decision\\_from\\_the\\_Planning\\_Inspectorate-135438.pdf](https://planning.babergh.gov.uk/online-applications/files/9F29197A57EE08F8D0B5A950ABB9BE47/pdf/B_14_00471-Appeal_Decision_from_the_Planning_Inspectorate-135438.pdf)

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**Total Number of DC Appeals Decided:** **9**

## **Enforcement Control**

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**Final Decsion:**

**Appeal Decision Date:**

**Application No.:**

**Appeal Procedure:**

**Appeal Type:**

**Location:**

**Description of Breach:**

**Appeal Notes:**

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