

BABERGH DISTRICT COUNCIL

From: Corporate Manager – Development Management	Report Number: R26
To: Planning Committee	Date of Meeting: 22 July 2015

PLANNING PERFORMANCE – 1 APRIL 2015 TO 30 JUNE 2015

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 April 2015 – 30 June 2015.

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 1st 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). A major application is defined as a development comprising 10 or more dwellings or sites greater or equal to 1000 sq. metres of floor space.
 - 65% of minor residential and commercial applications within a period of 8 weeks (i.e. up to 9 dwellings or less than 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.

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 to be a measure of good practice for delegated decisions is 90%. (The Protocol for both Councils' Scheme of Delegation changed in April 2013 and are identical). The first quarter 2015/16 figures are 95.2% compared with the first quarter of 2014/15 which was 93.6%. The preceding eight quarter's figures are also detailed for comparison purposes.

TABLE 1	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Number of applications on hand at beginning of quarter ¹	256	219	231	259	339	353	326	243	237
Number of applications received during quarter	298	264	289	255	305	323	300	263	311
Number of applications withdrawn	18	27	16	21	23	21	32	19	22

TABLE 1A	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Number of applications on hand at end of quarter	206	195	238	242	291	329	317	226	256
Number of applications determined during quarter	330	261	266	251	330	309	277	261	270
Percentage of delegated decisions	88.4%	91.95%	92.48%	91.6%	93.6%	93.9%	92.42%	95.0%	95.2%

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 periods 12/13, 13/14 and 14/15 in comparison with the national target. It also provides an indication of the achievement against the national target.

TABLE 2A	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Total number of MAJOR applications determined	13	9	11	10	14	4	6	7	11
Total number of MINOR applications determined	68	48	50	48	59	65	63	78	71
Total number of OTHER applications determined	229	204	205	193	257	257	189	173	188
Total number of applications determined during quarter	310	261	266	251	330	326	277	261	270

Source: General Development Control PS2 Return

¹ 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.

TABLE 2B	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Percentage of MAJOR applications determined on time	69.2	71.43	81.82	60	92.86	100	50	100	55.6
Percentage of MINOR applications determined on time	60.29	66.67	70.00	54.17	52.54	36.92	57.89	65.8	69.0
Percentage of OTHER applications determined on time	85.49	81.86	86.83	71.5	77.43	69.66	82.54	81.3	78.7

Source: General Development Control PS2 Return

TABLE 2C	YTD 2012/13	YTD 2013/14	YTD 2014/15	National Target	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15	Q1 Direction of Travel
Percentage of MAJOR applications determined on time	42.4	69.77	83.33	60	100	50	100	55.6	Below national target
Percentage of MINOR applications determined on time	53.75	62.79	52.99	65	36.92	57.89	65.8	69.0	Positive (above national target)
Percentage of OTHER applications determined on time	66.71	81.67	76.96	80	69.66	82.54	81.3	78.7	Slightly below national target

Source: General Development Control PS2 Return/Departmental Records

- 8.6 As will be noted there was a drop in performance for Majors in quarter 1. This category is volatile and subject to vast percentage variances due to the limited number of majors being determined (as evidenced by the previous quarters shown above). In this quarter we determined 11 Major cases some of which were beyond their statutory time periods for determination due to the completion of s106s.
- 8.7 Due to focused activity in Quarter 1 on Minors, planning performance in this category is at its highest since December 2013. The inability to collect S.106 contributions for affordable housing and public open space on schemes of less than 10 dwellings following changes in practice that the Government brought in on the 28 November 2014 is likely to mean that in general Minor applications should be quicker to determine and the national target of 65% easier to maintain.
- 8.8 In respect of the planning performance for the Others category (see Table 2C) the quarter end figures were slightly under (1.3%) the Government target of 80% being determined in time. Focused activity is in place to ensure performance in this category is improved and maintained.
- 8.9 In addition during the four quarters of 2014/15, Planning Committee considered a number of significant Major planning applications including 100 dwellings at Sudbury, 30 dwellings at Church Lane Sproughton, Former Amorex Site at Lavenham, 10 dwellings at Silk Factory Glemsford and the erection of new school

buildings at Thomas Gainsborough School, Great Cornard. Determination of these cases and others during the year 2014/15 is likely to ultimately result in an increase in the supply of housing and jobs.

- 8.10 Some of the decision notices for the above Major cases considered in 2014/15 will be issued during 2015/16 because of the need to complete S106 Obligations. This may result in a drop in performance against the Major category in the forthcoming quarters; the impact of this has already been experienced this quarter.

Planning Fees

- 8.11 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.

- 8.12 It was estimated that £94,875 would be received in planning fees by the end of quarter 1 2015/16. As will be noted below, £140,231.50 has been received; this total fee income is 48% above the projected fee income for this quarter and is higher than previous quarter 1's as shown in Table 3.

- 8.13 In addition to the income received from fee generating applications for quarter 1 2015/16, a further £5,505.00 has been received from the administration of non-material amendments to existing planning applications and submissions relating to the approval of information required by planning conditions.

- 8.14 For last year (2014/15) the number of fee generating applications received was higher than the previous year (2013/14), in addition to the cumulative fees received also being higher.

TABLE 3	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Number of fee applications received	243	223	260	271	273	243	244	274	270
Cumulative fees received	77,924	201,728.50	302,163	450,884.50	113,807.50	191,346.50	305,169.00	466,791.50	140,231.50
Projected fee income (cumulative)	94,875	189,750	284,625	379,500	94,875	189,750	284,625	379,500	94,875

Source: Departmental Records

Appeals

8.15 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 also shown for comparison purposes. 40 appeals were received for the financial year 2014/15 with 75% of them being dismissed. This constitutes a good success rate on appeal (given paragraph 8.3). This quarters allowed appeals is the third lowest since Quarter 1 2013.

TABLE 4	Q1 01.04.13 to 30.06.13	Q2 01.07.13 to 30.9.13	Q3 01.10.13 to 31.12.13	Q4 01.01.14 to 31.03.14	Q1 01.04.14 to 30.06.14	Q2 01.07.14 to 30.09.14	Q3 01.10.14 to 31.12.14	Q4 01.01.15 to 31.03.15	Q1 01.04.15 to 30.06.15
Number of appeals allowed	1	5	6	4	3	0	3	4	1
Total number of appeals	11	15	13	14	13	9	5	13	10
Percentage of appeals allowed (%)	9.09	33.33	46.15	28.57	23.08	0	60.00	30.77	10.00

Source: Departmental Records

8.16 There has been one award of costs during this quarter in respect of an appeal against refusal of planning permission for Lodge Farm Barn, Glemsford. The appeal summary on this case is contained in Appendix one to this report. There is no knowledge of precise costs which may need to be paid at this time.

8.17 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 01 April 2015 to 30 June 2015	Attached

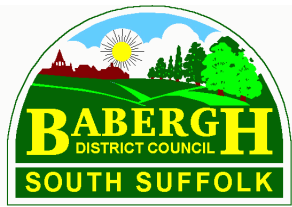
10. Background Documents

10.1 None

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Development Control Appeals Decided DC and EC

Version 6

Between 1-Apr-15 and 30-Jun-15

Development Control

Total Number of DC Appeals Allowed - Costs awarded:	1
Total Number of DC Appeals Dismissed:	9
Total Number of DC Appeals Decided:	10
Percentage of appeals allowed	10.00%

Total Number of DC Appeals Outstanding:	13
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Enforcement Control

Total Number of EC Appeals Allowed - Split, allowed with conditions:	1
Total Number of EC Appeals Decided:	1

Total Number of EC Appeals Outstanding:	
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Development Control

Number of Written Representations	9	Granted:	1
Number of Informal Hearings	1	Granted:	0
Number of Public Enquiries	0	Granted:	0

Allowed - Costs awarded

Final Decision: Allowed - Costs awarded

Application No: B/14/00473 AGDW **Appellant:** International Flavours & Fragrances Ltd

Application decision: Delegated **Appeal Decision Date:** 10-Jun-15

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

Location: Lodge Farm Barn, Lodge Farm Road, Glemsford

Proposal: Class MB - Notification under part 3 of the Town and County Planning (General permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 - Change of use from Agricultural Building to Dwellinghouses (C3) - Prior Approval for the conversion a Barn (formerly a Grain Store to two storey dwelling.

Appeal Notes: Key Issue(s): Whether the proposed change of use of an agricultural building to two separate dwellings is permitted development and, if it is, whether prior approval should be granted.

Conclusion: Whilst the Council has raised no objections in respect of transport, noise, contamination or flooding impacts it considers, with reference to former MB.2 (1) (e), now Q.2 (1) (e), that the location or siting of the building makes it otherwise impractical or undesirable for the building to change from an agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order. The Council, though, in reaching its decision, refused planning permission because of local policy, specifically Policy CR19 of the Babergh Local Plan and paragraph 28 of the Framework, relating to employment use. The legislation, stipulates that policy cannot be considered in such cases as it does not relate to the specified matters. As such, the Council's reliance on the appeal decision (ref: APP/D3505/A/14/2217378) relating to a similar change of use proposal at the same site, also involving the former grain store, for which the Council had refused planning permission, is irrelevant to this appeal and cannot be a material consideration. As regards whether the location or siting of the building makes it otherwise 'impractical' or 'undesirable' for the proposed residential use the PPG advises that the former term relates to whether the siting would 'not be sensible or realistic' whilst the latter term would involve the development being 'harmful or objectionable'. The guidance goes on to say that should an agricultural building be in a location where the Council would not normally grant planning permission this is insufficient reason for refusing prior approval. The Council has provided no evidence against this aspect and the Inspector has no reason to consider that the appeal building's conversion would not make for a good standard of residential accommodation.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00473)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/A257E4FC68B857239712E10FB86DC52F/pdf/B_14_00473-APPEAL_DECISION-201244.pdf

Costs Decision:
https://planning.babergh.gov.uk/online-applications/files/4512FB311E40512C6046FFE C4A289AA4/pdf/B_14_00473--201245.pdf

Dismissed

Final Decision: Dismissed

Application No: B/14/00569 FUL **Appellant:** Landeast Ltd

Application decision: Delegated **Appeal Decision Date:** 8-Jun-15

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

Location: Land adjacent to former Queens Arms, 28 Broom Street, Great Cornard, SUDBURY, CO10 0JT

Proposal: Erection of 2 No. Dwellings (retention of).

Appeal Notes: Key Issue(s): The Inspector noted the main issue is whether the occupation of the two dwellings would, or would not prejudice the retention of employment uses within the District.

Conclusion: Having considered carefully all the matters raised The Inspector considered that condition 5 is necessary to ensure employment use is retained and that there was insufficient evidence to justify an exception. He concluded the proposal would not comply with LP Policy EM24 or the SPD.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00569)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/1329B49138EC79B0FCD4FC0A640F801C/pdf/B_14_00569-APPEAL_DECISION-200887.pdf

Final Decision: Dismissed

Application No: B/14/00667 FUL **Appellant:** Ploughlane Properties Ltd

Application decision: Development Committee **Appeal Decision Date:** 18-Jun-15

Appeal Procedure: Written Representations **Appeal Type:** Non-determination within time allowed

Location: Cygnet Court, Swan Street, Boxford

Proposal: Erection of 4 no. dwellings, to include one affordable housing unit, associated landscaping; and sustainable urban drainage system.

Appeal Notes: Key Issue(s): i) whether the proposed development would preserve or enhance the character or appearance of Boxford Conservation Area; ii) the effect of the proposed development on nearby listed buildings; iii) whether the proposed development would provide satisfactory living conditions for future residents in terms of private amenity space; and iv) the effect of the proposed development on the supply of employment land.

Conclusion: The proposed development would preserve the character and appearance of the Conservation Area and setting of nearby listed buildings and would not result in an unacceptable loss of employment land. However, the absence of harm in these respects would be outweighed by the adverse living conditions for some future residents in terms of private amenity space.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00667)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/C6F208CF174498188977501EB5E38383/pdf/B_14_00667-APPEAL_DECISION-284762.pdf

Final Decision: Dismissed

Application No: B/14/00812 TPO **Appellant:** Mr Williams

Application decision: Delegated **Appeal Decision Date:** 5-Jun-15

Appeal Procedure: Informal Hearing **Appeal Type:** Refusal of TPO consent

Location: Great Oaks, Church Hill, Holbrook, IPSWICH, IP9 2PQ

Proposal: Fell and replace 1 no. Holm Oak (T001) covered by Tree Preservation Order BT285.

Appeal Notes: Key Issue(s): i) effect of the proposal on the character and appearance of the area, ii) justification of the works.

Conclusion: The tree is of a high amenity value and the amenity value would be entirely lost by felling. Re-planting would take about 15 years until it contributed significantly to the character and appearance of the area and much longer before its contribution was comparable to that of the existing tree. Whilst structural failure would of the tree would risk serious harm to life and property, the evidence available is not sufficient to show that such an event is likely to occur.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00812)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/6E9AF9A249841F3849F882E40AF6C5C1/pdf/B_14_00812-APPEAL_DECISION-200863.pdf

Final Decision: **Dismissed**

Application No: B/14/00932 FUL **Appellant:** Dr J Wilson

Application decision: Delegated **Appeal Decision Date:** 24-Jun-15

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

Location: Old School House, The Street, Chelsworth, IPSWICH, IP7 7HU

Proposal: Erection of two-storey dwelling following severance of part side garden. Conversion of existing boat store to cart lodge and construction of new vehicular access.

Appeal Notes: Key Issue(s): i) the character and appearance of the area, the Chelsworth Conservation Area and the setting of a nearby listed building; and ii) the effect on the living conditions of the occupants of the adjacent property.

Conclusion: The proposed dwelling and the loss of the large tree would harm the character and appearance of the area, fail to preserve or enhance the Chelsworth Conservation Area and harm the setting of a Listed Building. Although the harm would be less than substantial, there is no evidence of any public benefits which would outweigh the harm.

The proposed dwelling would be visible from the rear of the adjoining property but as it would be set away from the boundary the Inspector was not persuaded that it would be overbearing to a degree that would justify dismissing the appeal. The Inspector was satisfied that given the relative positions of the existing and proposed properties, the substantial fencing and vegetation along the boundary. The dwelling would be located to north east of No 64 and northwest of the Old School House. There would be a minimal loss of daylight to both properties but this would be mitigated by the proposed loss of the large tree. Due to the orientation there would be no loss of sunlight to either property. The proposal would not harm the living condition of the occupants of No 64 or the Old School House.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/00932)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/63C44B9F8C91CA10CE218F073D2F8360/pdf/B_14_00932-APPEAL_DECISION-285530.pdf

Final Decision: **Dismissed**

Application No: B/14/01071 FHA **Appellant:** Mrs R Joseph

Application decision: Delegated **Appeal Decision Date:** 30-Apr-15

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

Location: Box River House, 1 Broad Street, Boxford, SUDBURY, CO10 5DX

Proposal: Installation of 3 No. roof windows at second floor level.

Appeal Notes: Key Issue(s): a) whether the proposed works and development would preserve the Grade II listed building known as 1 and 3 Broad Street (listed respectively as Belsize and The Close) or any features of special architectural or historic interest that it possesses and b) whether or not they would preserve the character or appearance of the Boxford Conservation Area.

Conclusion: The installation of the windows has resulted in the loss of some historic fabric, although the extent of that loss is modest in the context of the mansard roof as a whole, and the Inspector saw on the inspection of the interior of the dwelling that each window has been installed between exposed rafters. The projection of the roof windows from the external face of the roof slope is modest, but that does not prevent them from having a somewhat box-like appearance. Moreover, although the dark colour of the external surfaces of the windows, the applied vertical strip at the centre of each window and the hardwood finishing strips added to the interior surfaces of the windows' frames make some attempt at historic appearance, in the context of the listed building these features are substantially outweighed by complex and obviously modern design and construction of the windows, which incorporate double glazing and an integral blind. Their collective appearance is unacceptably at odds with the traditional construction of the roof, the surrounding roof timbers within the interior, some of which appear to be of considerable age, and the attractively variegated appearance of the weathered roof slates.

The existence of public views of works is not a significant consideration in relation to listed buildings, given that their designation arises from the inherent significance of the building, not the extent to which that significance is perceptible by the members of the public.

The appeal windows represent a significant and visually dissonant intervention in the mansard roof, unacceptably at odds with the integrity of this roof and the contribution it makes to the significance of the listed building.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/01071)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/72E2E8CF6DC6FCADADC8472E64678E7E/pdf/B_14_01071-APPEAL_DECISION-196536.pdf

Final Decision:	<u>Dismissed</u>		
Application No:	B/14/01072 LBC	Appellant:	Mrs R Joseph
Application decision:	Delegated	Appeal Decision Date:	30-Apr-15
Appeal Procedure:	Written Representations	Appeal Type:	Refusal of planning permission
Location:	Box River House, 1 Broad Street, Boxford, SUDBURY, CO10 5DX		
Proposal:	Application for Listed Building Consent - Installation of 3 No. roof windows at second floor level.		

Appeal Notes:

Key Issue(s): a) whether the proposed works and development would preserve the Grade II listed building known as 1 and 3 Broad Street (listed respectively as Belsize and The Close) or any features of special architectural or historic interest that it possesses and b) whether or not they would preserve the character or appearance of the Boxford Conservation Area.

Conclusion: The installation of the windows has resulted in the loss of some historic fabric, although the extent of that loss is modest in the context of the mansard roof as a whole, and the Inspector saw on the inspection of the interior of the dwelling that each window has been installed between exposed rafters. The projection of the roof windows from the external face of the roof slope is modest, but that does not prevent them from having a somewhat box-like appearance. Moreover, although the dark colour of the external surfaces of the windows, the applied vertical strip at the centre of each window and the hardwood finishing strips added to the interior surfaces of the windows' frames make some attempt at historic appearance, in the context of the listed building these features are substantially outweighed by complex and obviously modern design and construction of the windows, which incorporate double glazing and an integral blind. Their collective appearance is unacceptably at odds with the traditional construction of the roof, the surrounding roof timbers within the interior, some of which appear to be of considerable age, and the attractively variegated appearance of the weathered roof slates.

The existence of public views of works is not a significant consideration in relation to listed buildings, given that their designation arises from the inherent significance of the building, not the extent to which that significance is perceptible by the members of the public.

The appeal windows represent a significant and visually dissonant intervention in the mansard roof, unacceptably at odds with the integrity of this roof and the contribution it makes to the significance of the listed building.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/01072)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/5614E53F9D7DD736B0B86BDD26A6E1AB/pdf/B_14_01072-APPEAL_DECISION-196537.pdf

Final Decision:

Dismissed

Application No:

B/14/01243 **FHA**

Appellant:

Mr & Mrs Austin

Application decision:

Delegated

Appeal Decision Date:

1-May-15

Appeal Procedure:

Written Representations

Appeal Type:

Refusal of planning permission

Location:

Wildacres, 4 Heath Close, Polstead Heath, Polstead, COLCHESTER, CO6 5BE

Proposal:

Erection of first floor front extension.

Appeal Notes:

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

Conclusion: The proposal would substantially compromise the distinctive design language of the dwelling. It would also significantly harm the balanced appearance of the row of houses at Nos 2 – 4 and the rhythm they impart to the street scene. The proposal would therefore cause unacceptable harm to the character and appearance of the area.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/01243)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/67CE2957CE12558E4D299CA309C6382E/pdf/B_14_01243-APPEAL_DECISION-196763.pdf

Final Decision: Dismissed
Application No: B/14/01336 FHA **Appellant:** Mr Hartshorne-Jones
Application decision: Delegated **Appeal Decision Date:** 8-May-15
Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission
Location: Lavender Cottage, Ipswich Road, Nedging with Naughton, IPSWICH, IP7 7BN

Proposal: Erection of gates (retention of)

Appeal Notes: Key Issue(s): i) the effect of the proposed development on the setting and special character of a heritage asset, and ii) the effect on highway safety.

Conclusion: Although the gates are of a high quality and design which incorporates some detailing they nevertheless appear as an alien feature which jars with the softer appearance of the vegetation and fencing along the frontage of the site and the overall rural appearance of the cottage. Furthermore, when closed and given their width and height they appear over dominant and detract from the views of and setting of the listed building. The development introduces a barrier that prevents unimpeded access on to the site increasing the likelihood of obstructing the highway and prejudicing the safety of highway users.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/01336)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/80AAB439531F8F8B23DBF70F35474B45/pdf/B_14_01336-APPEAL_DECISION-197500.pdf

Final Decision: Dismissed
Application No: B/14/01421 FUL **Appellant:** Cockle Creek LLP
Application decision: Delegated **Appeal Decision Date:** 4-Jun-15
Appeal Procedure: Written Representations **Appeal Type:** Refusal of planning permission
Location: Cockle Creek Cottage, Rose Farm Lane, Shotley, IPSWICH, IP9 1PH

Proposal: Erection of 1 No. detached two-storey dwelling and 2 bay cartlodge (following demolition of existing dwelling).

Appeal Notes: Key Issue(s): The effect of the proposal on the character and appearance of the area including its effect on the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB).

Conclusion: The form would have greater massing and bulk than the existing and approved replacement dwellings. The two mono-pitch roofs would be a striking feature which would emphasise the bulk of the proposal. The proposed garage would also be unduly bulky and dominant in terms of its mono-pitch roof design and the large expanse of wall above the garage door. The proposed design would be discordant. The windows would be of different orientation and proportions and would not align with each other with the overall effect that the proposal would have an incoherent appearance. This, combined with the bulk of the proposal would be harmful in the context of the adjacent high quality landscape. The proposal would be clearly visible both from the access track and the public footpath and it would be widely visible across the landscape. For the reasons given it would detract from the character and appearance of the area and would not conserve the landscape and scenic beauty of the AONB.

Application Details: <https://planning.babergh.gov.uk/online-applications/> (Search for B/14/01421)

Appeal Decision:
https://planning.babergh.gov.uk/online-applications/files/3D5D455600C7E56D64E0DA91C71B5188/pdf/B_14_01421-APPEAL_DECISION-200784.pdf

Enforcement Control

Allowed - Split, allowed with conditions

Final Decision:	<u>Allowed - Split, allowed with conditions</u>	Appeal Decision Date:	8-Jun-15
Application No.:	B/13/00009	Appeal Type:	Enforcement action appeal
Appeal Procedure:	Written Representations		
Location:	The Granary, Tower House, Freston Park, Freston, IPSWICH, IP9 1AD		
Description of Breach:	Decking and Use		
Appeal Notes:	<p>Key Issue(s): The effect of the development on the character and appearance of the area, the setting of the listed buildings and Area of Outstanding Natural Beauty.</p> <p>Conclusion: The decking and its supporting structure introduce an obtrusive and incongruous feature that is alien in the rural, informal setting. As such it detracts from the rural character and natural beauty of the area and the AONB. Whilst the decking would inevitably be of great benefit to the appellant this does not outweigh the harm caused to the rural area or AONB. The decking introduces a significant area of hard surfacing which is supported by a substantial structure. Its size, design and location does not relate to the to character of buildings nor does it blend into the informal character of the cluster of buildings that provides the setting for the listed buildings. The appellant accepts that the setting of a listed building can be harmed whether there are public views or not. Given the location of the decking at the edge of the 'island' it introduces an alien feature which attracts attention and detracts from the setting of the listed buildings.</p>		
