

**BABERGH DISTRICT COUNCIL**

**FROM:** Chief Planning Control Officer

**REPORT NUMBER:** **J62**

**TO:** DEVELOPMENT COMMITTEE

**DATE OF MEETING:** 29 July 2009

**PLANNING PERFORMANCE**

1. **PURPOSE OF REPORT**

1.1 This report provides an overview of the number of planning applications and appeals currently being considered by the Planning Control Section and an indication of performance against Government indicators.

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 this report.

4. **RISK MANAGEMENT**

4.1 There are no significant risks arising directly from this report.

5. **KEY INFORMATION**

5.1 This quarterly report shows the performance of the Planning Control Service 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.

5.2 Government performance indicators require all local planning authorities to determine:

- 60% of major applications within a period of 13 weeks. 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.

5.3 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 development control performance targets. Babergh, however, uses a locally defined threshold of 25%.

## Applications Received and Determined

- 5.4 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applications that were on hand at the beginning of the quarter, the number that were received during the quarter, withdrawn, on hand at the end of the quarter, and actually determined. It also provides details of the number of applications that were determined in accordance with the scheme of delegation expressed as a percentage of all decisions.
- 5.5 Members may wish to note that the number of applications received during the last quarter is broadly the same as the previous two quarters and continues to reflect the general state of the economy.
- 5.6 The percentage of decisions made in accordance with the scheme of delegation is slightly above the threshold of 90% which is commonly held to be a measure of good practice.

<b>TABLE 1</b>	<b>01.07.08 to 30.09.08</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>
Number of applications on hand at beginning of quarter.	283	279	243	224
Number of applications received during quarter	361	299	337	309
Number of applications withdrawn	24	12	25	19
Number of applications on hand at end of quarter.	279	243	248	230
Number of applications determined during quarter	341	323	307	284
Percentage of delegated decisions	87.4	88.2	90.8	90.8

Source: General Development Control PS1 Return

## Performance Against Target

- 5.7 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 during the year to date in comparison with the national target and the locally defined stretched targets. It also provides an indication of the direction of travel.

<b>TABLE 2A</b>	<b>01.07.08 to 30.09.08</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>
Total number of <b>MAJOR</b> applications determined	13	11	7	4
Total number of <b>MINOR</b> applications determined	84	78	86	70
Total number of <b>OTHER</b> applications determined	244	234	214	210
Total number of applications determined during quarter	341	323	307	284

Source: General Development Control PS2 Return

<b>TABLE 2B</b>	<b>01.07.08 to 30.09.08</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>
Percentage of <b>MAJOR</b> applications determined on time	69.2	63.6	85.7	100.0
Percentage of <b>MINOR</b> applications determined on time	60.7	64.1	84.9	81.4
Percentage of <b>OTHER</b> applications determined on time	79.1	79.1	90.2	90.9

Source: General Development Control PS2 Return

<b>TABLE 2C</b>	<b>Previous Year 2008/09</b>	<b>Year to date 2009/10</b>	<b>National Target</b>	<b>Babergh Stretched Target</b>	<b>Direction of Travel</b>
Percentage of <b>MAJOR</b> applications determined on time	75.4	100.0	60	67	↗
Percentage of <b>MINOR</b> applications determined on time	67.9	81.4	65	72	↗
Percentage of <b>OTHER</b> applications determined on time	82.4	90.9	80	87	↗

Source: General Development Control PS2 Return/Departmental Records

- 5.8 As will be noted all major applications were determined within the prescribed period during the last quarter. The determination of applications within the minor category has continued to improve during the last quarter in comparison with the outturn for 2008/09 and the same position applies to applications within the other category. While this improvement is significant, the information contained in Appendix One shows how Babergh compared with other local authorities in Suffolk in 2008/09. As will be noted performance within the major application category has been better than other local authorities but our performance in the minor and other categories is not as favourable. The performance improvement measures outlined in the previous reports to Development Committee will therefore continue to be applied with rigour in the forthcoming months to improve upon this position.

### **Planning Fees**

- 5.9 Table 3 provides an overview of the income received from fee generating applications during the last quarter against the projected position for the quarter. As Members may recall the projected income from planning fees for 2008/09 was revised downwards to £330,000 and a prudent estimate has been made for 2009/10 of £307,500. In addition to fee income from fee generating applications a further £2,835 has been received from the administration of submissions to discharge planning conditions.

<b>TABLE 3</b>	<b>01.07.08 to 30.09.08</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>
Number of fee applications received	314	235	242	222
Cumulative fees received	171,122	240,045	357,172	65,596
Projected fee income (cumulative)	227,000	300,000	330,000	79,950
Outturn	(55,878)	(59,955)	27,172	(14,354)

Source: Departmental Records

### **Appeals**

- 5.10 Table 4 provides details of the number of appeals allowed expressed as a percentage of the total number of appeals determined. Of the 14 appeals determined in the last quarter, eight have been allowed, one has been allowed in part, and five have been dismissed. This equates to 57.1% which is significantly above the generally accepted threshold of 30% and the Babergh threshold of 25%. Members will, however, be aware that there can be wide fluctuations in the performance achieved each quarter. Appendix Two provides a review of the appeal decisions made during the past quarter.

<b>TABLE 4</b>	<b>01.07.08 to 30.09.08</b>	<b>01.10.08 to 31.12.08</b>	<b>01.01.09 to 31.03.09</b>	<b>01.04.09 to 30.06.09</b>
Number of appeals allowed.	1	9	2	9
Total number of appeals determined.	9	17	18	5
Percentage of appeals allowed.	11.1	52.9	11.1	57.1

Source: Departmental Records

## 6. **APPENDICES**

- 6.1 Appendix One: Performance comparison with other Suffolk authorities.
- 6.2 Appendix Two: Appeal Decisions 1 April to 30 June 2009.

## 7. **BACKGROUND PAPERS REFERRED TO:**

- 7.1 None.

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Appendix 1

Performance comparison with other Suffolk authorities

		Waveney	Ipswich	Babergh	Forest Heath	Suffolk Coastal	Mid Suffolk	St Edmundsbury
<b>Q1 2008/9</b>	NI157(a)	8 of 9 88.89%	8 of 9 89%	21 of 26 80.76%	5 of 14 35.71%	15 of 20 75.0%	3 of 4 75.0%	2 of 7 28.57%
	NI157(b)	81 of 89 91.01%	54 of 66 82%	48 of 79 60.8%	44 of 57 77.19%	103 of 152 67.76%	79 of 134 58.96%	62 of 82 75.60%
	NI157(c)	250 of 253 98.81%	150 of 164 91%	247 of 301 82.05%	71 of 79 89.87%	356 of 428 83.18%	242 of 286 84.61%	240 of 294 81.63%
	BV204	4 of 18 22.22%	1 of 5 20%	6 of 12 50.00%	2 of 8 25%	2 of 17 11.76%	2 of 6 33.33%	5 of 12 41.66%
<b>Q2 2008/9</b>	NI157(a)	4 of 6 66.67%	10 of 11 91%	9 of 13 69.23%	5 of 9 55.56%	12 of 19 63.15%	7 of 10 70.0%	3 of 6 50.00%
	NI157(b)	76 of 80 95.00%	53 of 57 93%	51 of 84 60.7%	59 of 67 88.06%	80 of 121 66.12%	85 of 136 62.5%	41 of 64 64.06%
	NI157(c)	215 of 226 95.13%	125 of 138 91%	193 of 244 79.1%	78 of 84 92.86%	269 of 309 87.06%	242 of 291 83.16%	209 of 248 84.27%
	BV204	2 of 8 25.00%	0 of 6 0%	1 of 9 11.11%	0	4 of 13 30.76%	2 of 12 16.66%	2 of 10 20.00%
<b>Q3 2008/9</b>	NI157(a)	3 of 4 75.00%	10 of 14 71.42%	7 of 11 63.6%	7 of 8 87.5%	35.00%	7 of 11 63.63%	6 of 11 54.54%
	NI157(b)	50 of 56 89.29%	37 of 40 92.50%	50 of 78 64.1%	36 of 37 97.29%	72.00%	78 of 93 83.87%	61 of 70 87.14%
	NI157(c)	160 of 165 96.97%	127 of 142 89.43%	185 of 234 79.05%	46 of 46 100.00%	88.1%	202 of 229 88.20%	190 of 207 91.78%
	BV204	3 of 15 20.00%	3 of 10 30.00%	9 of 17 52.94%	2 of 6 33.33%	5 of 13 38.46%	4 of 19 21%	4 of 10 40.00%

		Waveney	Ipswich	Babergh	Forest Heath	Suffolk Coastal	Mid Suffolk	St Edmundsbury
<b>Q4 2008/9</b>	NI157(a)	6 of 9 66.66%	8 of 9 88.88%	6 of 7 85.7%	4 of 7 57.14%	10 of 13 76.92%%	4 of 6 66.66%	6 of 9 66.66%
	NI157(b)	49 of 54 90.74%	38 of 41 92.68%	73 of 86 84.9%	29 of 35 82.86%	57 of 86 66.27%	86 of 93 92.47%	70 of 76 92.10%
	NI157(c)	134 of 142 94.37%	74 of 79 93.67%	193 of 214 90.2%	60 of 62 96.77%	162 of 200 81.00%	157 of 165 95.15%	163 of 174 93.67%
	BV204	5 of 16 31.25%	1 of 6 16.66%	2 of 18 11.11%	1 of 4 25.00%	4 of 19 21.05%	5 of 12 41.66%	2 of 4 50.00%
<b>Year End 2008/9</b>								
Top Quartile 79.1% Median 70.80% Bottom Quartile 63.00%	NI157(a)	21 of 28 75.00%	36 of 43 83.72%	43 of 57 75.43%	21 of 38 56.67%	42 of 68 61.76%	21 of 31 67.74%	17 of 33 51.51%
Top Quartile 83.7% Median 77.60% Bottom Quartile 71.60%	NI157(b)	256 of 279 91.76%	183 of 204 89.70%	222 of 327 67.88%	168 of 196 85.71%	322 of 474 67.93%	328 of 456 71.93%	234 of 292 80.13%
Top Quartile 91.80% Median 88.40% Bottom Quartile 84.00%	NI157(c)	759 of 786 96.56%	476 of 523 91.01%	818 of 993 82.37%	255 of 271 94.10%	1025 of 1207 84.92%	843 of 971 86.82%	802 of 923 86.89%
Top Quartile <26.7% Median 32.0% Bottom Quartile >39.5%	BV204	14 of 57 24.56%	5 of 27 18.51%	18 of 56 32.14%	5 of 18 27.78%	15 of 62 24.19%	13 of 49 26.53%	13 of 36 36.11%

Quartile information based on All England for years 2007-2008

Source: Waveney District Council

## APPEALS DECIDED BETWEEN 01-April-2009 AND 30-June-2009

### Planning Applications

**Final Decision:** Allowed

**Application No:** B/07/01811 OUT      **Appellant:** Mr E Hopkins

**Application decision:** Development Committee      **Appeal Decision Date:** 30-Apr-09

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

**Location:** Land East of 98-108, Waldingfield Road, Sudbury

**Proposal:** Outline - Erection of 8 No. dwellings. Construction of new vehicular and pedestrian access. As amended by agent's letter dated 28th April 2008 and amended drawing No's 500/BP50A and 500/SS1A.

**The Inspector's Reasons:** The Inspector considered there to be three main issues: firstly the impact of the proposed development upon the living conditions of people residing nearby, secondly the effect of the development upon the character and appearance of the area and thirdly whether the proposal would prejudice the District Council's policies in relation to play area provision. Dealing with the first issue the Inspector concluded that the distance between the existing properties and those proposed would be sufficient to prevent any harm being caused. As such the proposal was considered to be consistent with Local Plan policies HS01 and HS28. Turning to the second issue the Inspector observed that the scale and layout of the development was indicative and would be determined at the reserved matters stage. He concluded, however, that it would not cause harm to the character and appearance of the area and would be consistent with Local Plan policy HS28. Turning to the final issue the Inspector noted that a unilateral undertaking had been completed by most of the land owners and the development could not take place without the payment of a play area contribution.

Comment

The application was refused by Development Committee on 23 July 2008 contrary to the officer recommendation. The Town Council objected to the development.

**Final Decision:** Allowed

**Application No:** B/08/00886 FUL      **Appellant:** LAB Developments

**Application decision:** Delegated      **Appeal Decision Date:** 13-May-09

**Appeal Procedure:** Informal Hearing      **Appeal Type:** Refusal of planning permission

**Location:** Land west of 17, Collinsons, Sproughton

**Proposal:** Erection of 2 no. two-storey dwellings and garages. Construction of new vehicular access.

**The Inspector's Reasons:** The determination of this appeal was conjoined with the consideration of an appeal against application B/08/01236/FUL. Both appeals provided for the construction of two dwellings. The Inspector considered the main issues to be impact of the development upon the character and appearance of the area, and the living conditions of nearby residents in terms of possible overlooking and noise disturbance. In relation to Appeal A no planning obligation had been completed by the appellant requiring the provision of public open space and this matter was also considered.

In relation to the first issue the Inspector concluded that neither proposal would result in material harm to the character and appearance of the area. In his view the proposals would be seen as a continuation of the line of development that has been established for the construction of two dwellings on the adjoining land. Turning to the second issue, the Inspector noted the differences between the respective applications and the relationships between the proposed properties and Nos 4 and 5 Woodward Close but concluded that the appeal proposals would not result in unacceptable living conditions to nearby residents.

As far as open space provision was concerned the Inspector noted that the District Council has a Supplementary Planning Document for the Provision of Outdoor Recreation Facilities and Open Space but was not satisfied that there were any deficiencies or surpluses in Sproughton that would justify the payment of a financial contribution. He accordingly attached little weight to the fact that an agreement had been completed in relation to Appeal B.

#### Costs Application

An application for costs was submitted by the appellant on the grounds that the reasons for refusal were not substantiated and the absence of information to support the request for open space contribution. In response the District Council asserted that it had provided evidence to support the reasons for refusal and pointed out that the appellants had not challenged the request to provide an open space contribution in relation to the second application. The Inspector considered the District Council had not provided sufficient evidence to substantiate part of the first reason for refusal which dealt with the cramped and contrived nature of the proposed development and accordingly made a partial award of costs on this ground. He did not, however, consider the District Council had acted unreasonably in connection with the second ground. As yet a formal claim has not been submitted by the appellant.

#### Comment

Application B/08/00886/FUL was refused on 4 July 2008. The Parish Council objected to the development. Application B/08/01236/FUL was refused by Development Committee on 12 November 2008. The Parish Council objected to the development.

**Final Decision:** **Allowed**  
**Application No:** **B/08/01236 FUL** **Appellant:** **Lorrimar Investments Ltd**  
**Application decision:** Development Committee **Appeal Decision Date:** 13-May-09  
**Appeal Procedure:** Informal Hearing **Appeal Type:** Refusal of planning permission  
**Location:** Land west of 17, Collinsons, Sproughton

**Proposal:** Erection of 2 no. two-storey dwellings and garages. Construction of new vehicular access.

**The Inspector's Reasons:** See comments on B/08/00886/FUL

**Final Decision:** **Allowed**  
**Application No:** **B/08/00658 FHA** **Appellant:** **Mr Kelly**  
**Application decision:** Delegated **Appeal Decision Date:** 14-May-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** Stour House, The Street, East Bergholt, Colchester, CO7 6TF

**Proposal:** Erection of extension to existing garage to form double garage with pitched roof. Amended scheme to that approved under P.P. B/06/00325/FHA (retention of unpainted doors to garage).

**The Inspector's Reasons:**The determination of this appeal was conjoined with the consideration of an appeal made against the refusal of listed building consent (B/08/00659/LBC). The Inspector considered the main issue whether the use of unpainted cedar up and over doors would preserve the listed building or its setting of any special architectural or historic interest it possesses. The Inspector observed that the garage building was fundamentally different in design to the main house and of more recent origin but considered that it did not look out of place. He did not accept the District Council's contention that the garage doors should be painted and was of the view that the natural cedar finish did not detract from the setting of the house. The Inspector therefore concluded that the proposal accorded with Planning Policy Guidance Note 15 - Planning and the Historic Environment and Local Plan policy CN06.

Comment

The applications were refused on 4 June 2008. The Parish Council raised no objection to the proposal.

**Final Decision:** **Allowed**

**Application No:** **B/08/00659 LBC** **Appellant:** **Mr Kelly**  
**Application decision:** Delegated **Appeal Decision Date:** 14-May-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** Stour House, The Street, East Bergholt, Colchester, CO7 6TF

**Proposal:** Application for Listed Building Consent - Retention of extension to existing garage to form double garage with pitched roof. Amended scheme to that approved under P.P. B/06/00326 LBC (retention of unpainted doors to garage).

**The Inspector's Reasons:**See comments on B/08/00659/LBC

**Final Decision:** **Allowed**

**Application No:** **B/08/01310 FUL** **Appellant:** **Mr Whymark**  
**Application decision:** Development Committee **Appeal Decision Date:** 15-May-09  
**Appeal Procedure:** Informal Hearing **Appeal Type:** Refusal of planning permission  
**Location:** Part side garden of 1, Stone Cottages, High Street, Long Melford, Sudbury

**Proposal:** Erection of single-storey detached dwelling (following demolition of existing garage).

**The Inspector's Reasons:**The Inspector considered there to be two main issues. These were the effect of the proposal upon the character of the Long Melford Conservation Area and secondly highway safety. In relation to the first issue the Inspector noted the character of the Conservation Area within the vicinity of the site and the proximity of adjoining listed buildings. In his view the contemporary appearance of the proposed dwelling would not compete with Stone Cottages or Hill House. As such he did not consider the design would be harmful to the character or appearance of the locality. While it was argued by the District Council that the frontage of the site would be dominated by vehicles, he did not accept this point of view. Turning to the second issue the Inspector concluded that the proposal would not result in any harm to highway safety.

Comment

The application was refused by Development Committee on 15 October 2008 in line with the officer recommendation. The Parish Council objected to the development.

**Final Decision:** Allowed  
**Application No:** B/08/01433 FUL **Appellant:** Mrs Adele Saunders  
**Application decision:** Development Committee **Appeal Decision Date:** 27-May-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** 15 Fiddlers Lane, East Bergholt, Colchester, CO7 6SJ

**Proposal:** Change of use of existing outbuilding to form holiday let accommodation and the erection of replacement garage/workshop to serve existing (host) dwelling.

**The Inspector's Reasons:** The Inspector considered the main issues to be the effect of the proposed development on highway safety and the living conditions of local residents in relation to noise, disturbance and loss of light. In relation to the first issue the Inspector did not consider that the small increase in traffic movement associated with the proposed use of the property as a holiday cottage would cause a significant risk to highway safety. As far as the second issue was concerned the Inspector was of the view that the additional traffic that would be generated by the proposal would not be sufficient to result in a significant increase in the level of disturbance. Moreover he observed that the occupation of the property was unlikely to be continuous. As a result he concluded that the development would not be harmful to local residents. Conditions were imposed to control the use of the holiday cottage, including one which requires the owners to maintain a register of all visiting occupants and their main home address.

Comment

**Final Decision:** Allowed  
**Application No:** B/08/00086 FUL **Appellant:** Ms T Symons  
**Application decision:** Delegated **Appeal Decision Date:** 16-Jun-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** The Saracens Head, Sudbury Road, Newton, Sudbury, CO10 0QJ

**Proposal:** Retention of canopy.

**The Inspector's Reasons:** The Inspector considered the main issue to be the effect of the canopy upon the character, appearance, special architectural or historic interest and setting of the listed building. He observed that the canopy was a modern feature but a sympathetic addition that did not dominate the facade. As such he concluded that the retention of the canopy was acceptable and would not conflict with national guidance as set out in PPG15 - Planning and the Historic Environment or Local Plan Policy CN06.

Comment

The application was refused on 29 April 2008. The Parish Council raised no objection to the proposal.

**Total Allowed** 8

**Final Decision:** Dismissed  
**Application No:** B/08/01058 FHA **Appellant:** Helen Bryce  
**Application decision:** Delegated **Appeal Decision Date:** 1-Apr-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** 3 Old House Cottages, Back Road, Hintlesham, Ipswich, IP8 3PB

**Proposal:** Erection of two-storey side extension.

**The Inspector's Reasons:** The Inspector considered the main issue to be the effect of the proposal upon the character and appearance of the existing dwelling which is a semi-detached property. Despite the distance of the site from the public highway the Inspector considered the proposal would be visually harmful when viewed from the footpath network in the area. She concluded that the proposed extension would have an overpowering effect on the existing dwelling and the design solution would neither reflect or respect the property.

Comment

The application was refused on 18 September 2008. The Parish Council raised no objection to the proposal.

**Final Decision:** Dismissed  
**Application No:** B/07/02028 FHA **Appellant:** Mr T Bundy  
**Application decision:** Delegated **Appeal Decision Date:** 27-Apr-09  
**Appeal Procedure:** Informal Hearing **Appeal Type:** Refusal of planning permission  
**Location:** White House Farm, Straight Road, Polstead, Colchester, CO6 5DL

**Proposal:** Erection of garden building.

**The Inspector's Reasons:** The main issue identified in this case was the impact of the proposed development upon the setting of the listed building. The proposal provided for the construction of a garage, office and guest bedrooms in a self contained 'L' shaped two storey building. The Inspector concluded in terms of scale and design the garden building would look entirely out of place and harm the setting of the listed building contrary to Local Plan Policy CN06.

Comment

The application was refused on 1 February 2008. The Parish Council raised no objection to the proposal.

**Final Decision:** Dismissed  
**Application No:** B/08/01258 FHA **Appellant:** Mr & Mrs A Lennox  
**Application decision:** Delegated **Appeal Decision Date:** 7-May-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** Hamlea, Upper Road, Little Cornard, Sudbury, CO10 0NZ

**Proposal:** Erection of first-floor extension over existing bungalow (including increase in roof height).  
Erection of two-storey extensions and dormer windows.

**The Inspector's Reasons:**The Inspector considered that there were two main issues. Firstly the impact of the proposal upon the character and appearance of the appeal property, the street scene and the Special Landscape Area. Secondly potential impact upon the supply of smaller properties. In relation to the first issue the Inspector found that the proposed extensions would subsume the existing bungalow and create a fundamentally different property which would not respect its surroundings or the character of the Special Landscape Area. Turning to the second issue the Inspector observed that the supporting text to Local Plan Policy HS33 identifies the need to maintain the existing stock of smaller dwellings but considered the property to be beyond the reach of those on low incomes and most first time buyers.

Comment

The application was refused on 31 October 2008. The Parish Council raised no objection to the proposal.

**Final Decision:** **Dismissed**  
**Application No:** **B/08/01615 OUT** **Appellant:** **Mr Wayne Gorvin**  
**Application decision:** Delegated **Appeal Decision Date:** 28-May-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** 6 London Road, Capel St Mary, Ipswich, IP9 2JR

**Proposal:** Outline - Erection of 1 no. single-storey dwelling and erection of 2 no. garages. Alteration to existing vehicular access.

**The Inspector's Reasons:**The main issues identified in this case were firstly the impact of the proposed development on the character of the area and secondly the effects of the development upon the living conditions of people residing at 6 London Road and neighbouring properties. In relation to the first issue the Inspector noted that the bungalow would be set back from the road and as a result was unlikely to be visually intrusive. The concluded, however, that the proposal would fail to respect the existing pattern of development. Turning to second issue, the Inspector observed that the proposed access drive would pass in close proximity to 6 London Road and as such the occupants of the property would suffer from noise disturbance. Similar concerns were also expressed in relation to the possible impact of the development upon the occupiers of 8 London Road. The Inspector also noted that the proposed dwelling would be located in close proximity to the A12 and expressed concerns about the impact of road traffic noise on the property.

Comment

The application was refused on 19 December 2008. The Parish Council objected to the development.

**Final Decision:** **Dismissed**  
**Application No:** **B/08/00941 FHA** **Appellant:** **Mr J Tanner**  
**Application decision:** Development Committee **Appeal Decision Date:** 29-Jun-09  
**Appeal Procedure:** Informal Hearing **Appeal Type:** Refusal of planning permission  
**Location:** Westgate Park, Westgate Street, Long Melford, Sudbury

**Proposal:** Retention of 1 no. triple garage with storage rooms above.

**The Inspector's Reasons:**The Inspector considered there to be three main issues. Firstly whether the building preserves or enhances the character or appearance of the Long Melford Conservation Area. Secondly the effect of the building on the setting of Thatched House, a listed building. Thirdly the effect of the building on the living conditions of neighbouring properties. In relation to the first issue the Inspector concluded that by virtue of its scale height and dominance the building did not preserve or enhance the character and appearance of the Conservation Area. Turning to the second issue the Inspector considered that the building had been constructed in very close proximity to the boundary with Thatched House. as such she considered that the volume of the building, its height and over-dominant appearance had an adverse visual impact on the setting of Thatched House. In relation to the final issue the Inspector also considered that the proposal had a harmful effect on the neighbours' living conditions and resulted in a loss of outlook.

The consideration of the appeal was conjoined with the consideration of an appeal made against the service of an enforcement notice. The appellant argued that an extension of time from two to nine months was required to comply with the provisions of the enforcement notice to allow for the salvaging of materials arising from the demolition of the building. The Inspector did not, however, accept this point of view and the provisions of the enforcement notice were upheld.

Comment

The application was refused by Development Committee on 17 September 2008 contrary to the officer recommendation. The Parish Council did not express an opinion.

**Total Dismissed**

**5**

**Final Decision:** Allowed - Split decision allowed in part  
**Application No:** B/08/01525 FHA **Appellant:** Mr & Mrs M. Cordle  
**Application decision:** Delegated **Appeal Decision Date:** 15-Jun-09  
**Appeal Procedure:** Written Representations **Appeal Type:** Refusal of planning permission  
**Location:** 2 Ash Tree Cottages, Main Road, Chelmondiston, Ipswich, IP9 1EF

**Proposal:** Erection of first-floor side and single-storey rear extension.

**The Inspector's Reasons:** The Inspector considered the main issues to be the effect of the proposal upon the character and appearance of the existing property, the street scene and the wider area. The proposal provided for the construction of a single storey lean-to extension to the rear of the property and a first floor side extension. In relation to the single storey rear extension the Inspector concurred with the views expressed by the District Council that it would cause no harm to the character and appearance of the property or the wider amenities of the surrounding area. The first floor side extension, however, was judged to be wholly insensitive, upsetting the strong symmetry which currently characterises the semi detached dwellings. Furthermore the Inspector found that the resultant infilling of the gap that currently exists between the appeal property and the adjoining house that would occur if the first floor extension was constructed would be unacceptable. As the proposed extensions were independent and clearly severable, however, the Inspector concluded that a split decision was appropriate in this case and granted planning permission for the single storey rear extension.

Comment

The application was refused on 21 November 2008. The Parish Council raised no objection to the proposal.

<b>Total Others</b>	<b>1</b>
<b>Total Decided</b>	<b>14</b>