



## STRATEGIC PLANNING COMMITTEE

Monday, 14 September 2020

### PLANNING APPEALS REPORT

#### EXECUTIVE SUMMARY

1. This report provides an update on all appeal decisions received from the Planning Inspectorate between 13 May 2020 and 24 August 2020

Is the report Open or Exempt?	Open
Wards Affected:	All
Cabinet Member:	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
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## **1 INTRODUCTION**

- 1.1 This report provides a summary on all appeal decisions received from the Planning Inspectorate between the 13 May 2020 and 24 August 2020.

## **2 APPEAL DECISIONS**

- 2.1 A total of 14 planning appeals and eight appeals against enforcement notices have been received from the Planning Inspectorate since the 13 May 2020 following a refusal of planning permission from either Suffolk Coastal District Council, Waveney District Council or the newly formed East Suffolk Council.
- 2.2 A summary of all the appeals received is appended to this report.
- 2.3 The Planning Inspectorate monitor appeal success rates at Local Authorities and therefore it is important to ensure that the Council is robust on appeals, rigorously defending reasons for refusal. Appeal decisions also provide a clear benchmark for how policy is to be interpreted and applications considered.
- 2.4 Very few planning refusals are appealed (approximately 20%) and nationally on average there is a 42% success rate for major applications, 27.25% success rate for minor applications and 39.25% success rate for householder applications. Taken as a whole that means that slightly over 36% (or 1 in 3) of app planning appeals are successful.
- 2.5 All of the planning applications appealed were delegated decisions determined by the Head of Planning and Coastal Management.
- 2.6 Of the appeals against planning permission ten of the decisions were dismissed (71%) and four allowed (29%). These statistics show that the Council's success rate in defending appeals is above the national average and provides confidence that the Council is able to robustly defend against unacceptable development and has a suite of policies available to assist defence.
- 2.7 Regarding the enforcement notices, the Council successfully defended the servicing of six of the eight notices (75%) although it is noted that the Planning Inspector on those occasions sought to increase the compliance period from three to six months.
- 2.8 There are no areas of concern raised in any of the appeals. There are however some useful considerations particularly in relation to the appeals at Alderlee in Kelsale and Pier Avenue in Southwold in respect of tests for sustainable development even if outside the settlement boundary and tourist accommodation.

## **3 REASON FOR RECOMMENDATION**

- 3.1 This report is for information only.

### **RECOMMENDATION**

That the content of the report is noted.

### **BACKGROUND PAPERS – None**

The following appeals have been received. The full reports are available on the Council's website using the unique application reference.

<b>Application number</b>	DC/19/1231/FUL
<b>Appeal number</b>	APP/X3540/W/19/3236092
<b>Site</b>	Foxburrow Farm, Waldringfield Road, Brightwell, Ipswich, Suffolk, IP10 0BZ
<b>Description of development</b>	Change of use of land for use as self-storage facility, including the siting of 272 storage containers
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	21 May 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is whether the development is in an appropriate location, with particular regard to the adopted development plan settlement hierarchy.
<b>Summary of decision</b>	<p>The proposal does not accord with the development plan and the most important policies for determining this scheme, namely Policies SP1 and SP7, are not out of date or inconsistent with the Framework. In view of this, the presumption in favour of sustainable development as outlined in Paragraph 11 of the Framework is not engaged.</p> <p>The scheme would result in a range of public benefits, namely, local employment and economic growth. However, when considered collectively, these would be of modest value and outweighed by the harm identified in not guiding new commercial employment development towards sustainable locations in accordance with the settlement hierarchy set out in the adopted development plan. There is no reason why the scheme would result in a more effective use of the site than other uses more appropriate to the rural area that need to be there for reasons of necessity, such as an agricultural use.</p>
<b>Learning point / actions</b>	None to note.

<b>Application number</b>	DC/19/4338/FUL
<b>Appeal number</b>	APP/X3540/D/20/3244405
<b>Site</b>	8 Haywards Fields
<b>Description of development</b>	To erect a fence using concrete post, postmix, lap panel, trellis
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	28 May 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue in this appeal is the effect of the proposed development on the character and appearance of the area and Highway safety.
<b>Summary of decision</b>	<p>The erection of a fence around the front garden at the appeal site would reduce the openness and reduce the highway safety due to the site being a corner plot. This would significantly harm the open character of the estate and hinder the ability to be able to see around the corner at this junction.</p> <p>The fence would harm the character of the street, appearing</p>

	incongruous due to the lack of other screening in front gardens of the neighbouring sites. As the fence is wrapped around a corner plot with no path in between, the development causes danger to highway safety as vehicles cannot see other moving vehicles or pedestrians when approaching the car park adjacent.
<b>Learning point / actions</b>	Fencing surrounding front gardens at a height of two metres is not acceptable if it causes harm highway safety through loss of view around corners. The hard landscaping which has a harmful effect on the character and appearance of the area and can be refused under policy DM21.

<b>Application number</b>	DC/19/3602/FUL
<b>Appeal number</b>	APP/X3540/D/20/3244688
<b>Site</b>	Pipits Hill, Martlesham Road, Little Bealings, Ipswich, Suffolk IP13 6LX
<b>Description of development</b>	Proposed two-storey side extension & reconfiguration of adjoining areas to existing dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	8 June 2020
<b>Appeal decision</b>	Allowed with conditions
<b>Main issues</b>	The main issue in this appeal is the effect of the proposed development on the character and of the original house.
<b>Summary of decision</b>	Whilst the proposed alterations would substantially alter the appearance of the appeal building, the dominance of the original dwelling has already been compromised by the previous alterations. The property, whilst once modest in scale, presents as a large dwelling with the addition of uncharacteristic flat roof side extensions. The proposed forward-facing gable would deviate from the original form and style of the dwelling, however, in the context of the dwelling as extended, I do not consider that this would look out of place. In addition, the Council does not consider that the original building is of any particular architectural merit, historic importance nor is it located in a sensitive location, such as to necessitate particular protection of its original form.
<b>Learning point / actions</b>	Alterations may externally change the character of a building that has been previously extended if it would not look out of place.
<b>Application number</b>	DC/19/1027/FUL
<b>Appeal number</b>	APP/X3540/W/19/3242751
<b>Site</b>	Alderlee, Main Road, Kelsale Cum Carlton IP17 2NS
<b>Description of development</b>	The development proposed is the erection of 10 dwellings at land adjacent to Alderlee, Main Road, Kelsale
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	10 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<p>The main issues are:</p> <ul style="list-style-type: none"> <li>• Whether the development is in an appropriate location for new housing;</li> <li>• Whether it has been adequately demonstrated that a satisfactory method of surface water drainage can be achieved;</li> <li>• Whether the effect of the development on the protection zone of the nearby European Designated Habitat Areas can be suitably mitigated; and</li> <li>• Whether it has been demonstrated that any impacts of the</li> </ul>

	development on reptiles and Great Crested Newts could be satisfactorily mitigated.
<b>Summary of decision</b>	<p>The appeal site falls outside of the defined physical limits of Kelsale Cum Carlton and so for the purposes of local plan policy is classed as being located in the open countryside.</p> <p>However, the proposed development would sit adjacent to existing dwellings and would physically adjoin the wider settlement. Whilst the appeal site is located in an area defined as being in the countryside, and therefore there is some conflict with the requirements of Policies SP27 and DM3, given the surroundings, the existing built form and the proximity to a number of local services and facilities, the proposal would not be in an unsuitable location for new housing. The Inspector did not find conflict with the aims of Policies SP1, SP19, SP27 and DM4 of the CSDMP which collectively seek to locate housing in relation to services and infrastructure, enhance accessibility to services and support development within clusters subject to an acceptable scale and a lack of harm to the character and appearance of the area.</p> <p>Limited details were put forward pertaining to the proposed use of SuDS, infiltration testing, nor any attenuation measures. The Inspector did not find it unreasonable that the Council would expect that all of the relevant documentation to be submitted with the application. Whilst the National Planning Policy Framework supports the use of conditions where reasonable and necessary, it had not been sufficiently demonstrated that a suitable method of drainage could be achieved on site therefore it was not appropriate to rely on conditions.</p> <p>The site is located within the 13km protection zone of European Designated Sites. The proposed development requires a Section 106 Agreement to secure the necessary mitigation and compensation in accordance with the requirements of Policy DM27 and RAMS. In the absence of a S106 the proposed development would not comply with the requirements of Policies DM27 and SP14.</p> <p>The appeal site is overgrown and has a number of dilapidated buildings. An Ecological Impact Assessment was submitted with the application and found that the site has the potential to support reptiles, Great Crested Newts and other amphibians and recommended that further survey works for these species.</p> <p>Circular 06/2005 advises that surveys should be carried out before planning permission is granted.</p> <p>As it has not been sufficiently demonstrated that the proposal would not significantly harm protected species or that a suitable method of mitigation could be achieved, the proposal is considered contrary to Policies DM27 and SP14 of the CSDMP and Section 15 of the Framework.</p>
<b>Learning point / actions</b>	<p>The location of the development outside physical limits may not be considered unsustainable and impact needs to be had on the relationship to sustainable settlement, existing development etc.</p> <p>Adequate survey information is required for protected species and it is</p>

	not appropriate to condition this information.
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<b>Application number</b>	DC/19/3780/FUL
<b>Appeal number</b>	APP/X3540/D/20/3246269
<b>Site</b>	Steps Corner, 101 High Street, Aldeburgh IP15 5AU
<b>Description of development</b>	The development proposed is the removal of the existing pitched roof and the re-building of a new dormered roof to contain 2nos new bedrooms each with en-suite bathroom.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	The main issue is the effect of the proposed development on the character and appearance of the host building, Steps Corner; whether it would preserve or enhance the character or appearance of the Aldeburgh Conservation Area (ACA) and the effect on the setting of the Grade II listed buildings, 2-10 Town Steps and Dart Cottage.
<b>Summary of decision</b>	<p>The significant increase in the overall height of this building would result in this prominent, yet not dominant building, overwhelming the nearby listed buildings, 2-10 Town Steps and No 99.</p> <p>The harmful effect of the proposed increase in height would be exacerbated by the number of dormers and rooflights that would punctuate and dominate the roof.</p> <p>The resultant building, by virtue of its height and cluttered roofscape, would interrupt and negatively impact the important key view from the top of the Town Steps towards the North Lookout Tower and the sea.</p> <p>The proposal would harm the character and appearance of the host building, the significance of the Conservation Area and the setting of nearby listed buildings. Thus, the proposal conflicts with Policies SP1, SP22 and DM21 of the Suffolk Coastal District Local Plan Core Strategy &amp; Development Management Policies Development Plan Document, 2013.</p>
<b>Learning point / actions</b>	None to note.

<b>Application number</b>	DC/19/2255/FUL
<b>Appeal number</b>	APP/X3540/W/3240658
<b>Site</b>	37 Pier Avenue, Southwold IP18 6BU
<b>Description of development</b>	construction of two storey front and rear extensions to create a 4 bed holiday let.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	19 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>The main issue was the effect of the proposed development on the living conditions of the occupants of nearby residential properties with regard to noise and disturbance.</li> </ul>
<b>Summary of decision</b>	The Inspector paid close attention to the design of the extended dwelling, and the internal floor layout, and considered that the scheme could well host a large party of guests – ultimately resulting in a material change of use from a regular dwelling house that would cause harm to the amenity of neighbouring properties. The Inspector was clear that the level of activity from the dwelling would be significantly greater than use

	as a regular holiday let.
<b>Learning point / actions</b>	<p>This is an important appeal decision for future consideration of development proposals in Southwold, and other popular tourist towns in the District.</p> <p>This case clarifies that a material change of use could arise, even where it is not necessarily formally proposed within the application. It will be for the Planning Authority to consider the nature of the resultant accommodation (arising from the extensions/alterations), to consider whether the occupancy levels the scheme would permit would lead to a change of use. Close attention needs to be paid to the design layout of any extended dwelling that is to be used for holiday letting purposes.</p>

<b>Application number</b>	DC/19/2643/FUL,
<b>Appeal number</b>	APP/X3540/W/19/3240324
<b>Site</b>	Plough Inn, Main Road, Sutton IP12 3DU
<b>Description of development</b>	Erection of two pairs of semi-detached dwellings with associated garaging, formation of vehicular access to Main Road and reorganisation of public house car park.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	22 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>• Whether the location of the development is suitable having regard to the Development Plan and the National Planning Policy Framework (the Framework);</li> <li>• The effect of the development on the character and appearance of the area and the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB);</li> <li>• The effect of the development on the living conditions of future occupiers with particular regard to noise and disturbance;</li> <li>• Whether the development would result in the loss of a key facility;</li> <li>• The effect of the development on European Designated Sites.</li> </ul>
<b>Summary of decision</b>	<p>The proposals were concluded to be in conflict with SP1, SP1A, SP19, SP29, DM3 and DM4 of the Core Strategy and the Framework which seek, amongst other things, to direct development to sustainable locations of the District, as it would not be an appropriate location to access day-to-day services and facilities. The Inspector noted that Sutton offered little in the way of facilities and the nearest Key Service Centre where Hollesley and Melton meaning future occupiers would be heavily reliant on private cars to access services and facilities.</p> <p>The Inspector noted that the area is rural in character and Sutton itself has a pleasing sense of uniformity which is formed by the regular pattern of linear development that exists along Main Road. The proposed development would fail to reinforce the locally distinctive pattern of development and would have a detrimental impact on the character and appearance of the area and the AONB in which it is set. the development would be in conflict with Policies DM3, DM21 and SP15 of the Core Strategy.</p>

	<p>The Inspector agreed that the due to the position of parking spaces and the relationship between the proposed dwellings and the public house that noise and disturbance would be experienced during anti-social hours. It was concluded that significant levels of noise and disturbance would be experienced by future occupiers of the dwellings, through the movement of people and the general chatting of patrons using this area, contrary to DM23.</p> <p>The Inspector did not consider that the proposals would conflict with DM30 as there would still be adequate parking provided for the public house.</p> <p>The applicants argument for housing development to fund the public house for future use, was considered by the Inspector who considered that the short term injection of funds would support the year profit and clear bad debt but would not provide any future guarantees beyond that. It was concluded that there were no long term future plans for the public house which would make this argument viable.</p>
<b>Learning point / actions</b>	High emphasis was placed on the setting within the AONB and the existing pattern of development along with the sites unsustainable location.

<b>Application number</b>	DC/19/3412/FUL
<b>Appeal number</b>	APP/X3540/W/20/3245276
<b>Site</b>	84 Fairfield Road, Saxmundham IP17 1EG
<b>Description of development</b>	The development proposed is erection of new 2-bedroom, single storey dwelling with 2no. parking spaces, within rear garden of existing dwelling and sharing the existing vehicular access.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	9 July 2020
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	<p>The main issues for the appeal are:</p> <ul style="list-style-type: none"> <li>• the effect on living conditions of neighbouring properties with regards to noise and disturbance</li> <li>• whether the proposal will not adversely affect the integrity of European sites.</li> </ul>
<b>Summary of decision</b>	<p>The proposal would not be harmful to the living conditions of either the host or neighbouring properties with regard to noise disturbance. The development would not conflict with policies DM7 or DM23 of the East Suffolk, Suffolk Coastal District Local Plan Core Strategy and Development Management Policies Development Plan Document 2013 (the Local Plan), which seek to ensure development would not significantly reduce residential amenity.</p> <p>RAMS payment was received.</p> <p>The required mitigation would be properly secured and the proposals would be unlikely to have a significant effect on the identified SPA, Ramsar or SAC.</p>
<b>Learning point / actions</b>	None to note.



<b>Application number</b>	DC/20/1208/FUL,
<b>Appeal number</b>	APP/X3540/D/20/3253394
<b>Site</b>	4 York Road, Martlesham Heath
<b>Description of development</b>	Conversion of existing attached garage and erection of detached double garage
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	12 August 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	Effect of the proposed garage on the character and appearance of the area.
<b>Summary of decision</b>	Dismissed – considered that the loss of trees and the detachment of the proposed garage being 8 metres in front of the dwelling would not follow the pattern of development and would encroach onto the open space to the detriment of the character of the area.
<b>Learning point / actions</b>	Gives appreciation of undesignated open spaces on Martlesham Heath

<b>Application number</b>	DC/19/1682/FUL
<b>Appeal number</b>	APP/X3540/W/19/3243598
<b>Site</b>	Beech Tree Farm House, Rushmere Road, Rushmere, Lowestoft, NR33 8HA
<b>Description of development</b>	Conversion of existing domestic outbuilding to single unit of holiday accommodation and all associated works.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	3 July 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>the character and appearance of the building and surrounding area;</li> <li>highway safety;</li> <li>biodiversity, particularly European protected sites..</li> </ul>
<b>Summary of decision</b>	<p>The inspector noted the importance of the trees on the frontage of the site to the rural character of the area and concluded that the removal of trees to accommodate the extension and the provision of a car parking area would detract from the character and appearance of the area and was not persuaded that a landscaping condition would sufficiently shield the proposed development from the main road as to reduce its impact to an acceptable level.</p> <p>The inspector agreed that the principle of conversion of the building to holiday let use was acceptable and in that regard was in accordance with policy WLP8.15 but that the scheme was contrary to Policy WLP8.29 “Design” which seeks development proposals to demonstrate high quality design which reflects local distinctiveness, protect the amenity of the wider environment and create a high quality public realm.</p> <p>Despite the lack of information with respect to visibility splays the inspector was of the view that considering the limited amount of additional traffic that is likely to be generated by the proposal, the topography of the site and layout of the road, as well as the speed and volume of traffic, it is unlikely that the development would have a significant effect on highway safety and was acceptable in this regard.</p> <p>As the development falls within the “Zone of Influence” for one of more</p>

	of the European Protected sites an Appropriate Assessment would be required. As the appeal was dismissed further consideration was not given to this matter.
<b>Learning point / actions</b>	Design consideration is given a lot of weight by inspectors.  It is difficult to demonstrate a 'unacceptable impact' on highway safety particularly on small scale schemes and is a weak reason for refusal where there is limited additional traffic movements.

<b>Application number</b>	DC/19/3496/FUL
<b>Appeal number</b>	APP/X3540/W/20/3249692
<b>Site</b>	23 New Road, Trimley St Mary, Felixstowe, Suffolk IP11 0TF
<b>Description of development</b>	Proposed single-storey dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	21 August 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>the effect of the proposal on the character and appearance of the area</li> </ul>
<b>Summary of decision</b>	The proposed dwelling would appear awkward and cramped with 23 New Road and would also appear disconnected from the row of bungalows by the footpath. It would disrupt the sense of order and rhythm and undermine the cohesive feel and group value of the existing properties. For these reasons the proposal does not accord with Core Strategy Policy DM7.
<b>Learning point / actions</b>	N/A

<b>Application number</b>	DC/19/3600/FUL
<b>Appeal number</b>	APP/X3540/W/20/3244854
<b>Site</b>	Land at Cireanin, Woodbridge Road, Bredfield IP13 6AW
<b>Description of development</b>	Proposed single-storey dwelling.
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Dismissed
<b>Main issues</b>	<ul style="list-style-type: none"> <li>whether or not the site is an appropriate location for residential development having regard to local and national policy for the delivery of housing; and</li> <li>the effect of the proposal on the character and appearance of the rural area.</li> </ul>
<b>Summary of decision</b>	<p>The site lies in the countryside where the proposal does not accord with any of the policies which allow for new development in rural locations (DM1, DM3 or DM4) therefore would also conflict with SP1 and Sp29 of the Core Strategy.</p> <p>Due to the proposals backland location, the proposal would introduce a sizeable dwelling beyond the existing linear pattern of development which would introduce a new built form uncharacteristic of its</p>

	surrounds. The dwelling would be physically and visibility separate from the approach into Bredfield and would result in an urbanising effect on the rural character of the area, incongruous to the appearance of the local landscaped environment.
<b>Learning point / actions</b>	N/A

<b>Application number</b>	DC/19/3456/VOC
<b>Appeal number</b>	APP/X3540/W/19/3243040
<b>Site</b>	1&2 Hall Cottages, Charsfield, IP13 7PW
<b>Description of development</b>	Variation of Condition No.2 of DC/19/1147/FUL - Single storey front extension, Dormer Window to primary elevation(No 1) Side and Rear single storey extensions, external insulation and cladding to original dwellings to side and rear elevations. Retrospective Application for dormer to the front (No 2)(Second Application).
<b>Committee / delegated</b>	Delegated
<b>Appeal decision date</b>	11 June 2020
<b>Appeal decision</b>	Allowed
<b>Main issues</b>	The main issue is whether, as a result of non-compliance with the approved plans, the resulting development has an effect on the character and appearance of the host property and surrounding area.
<b>Summary of decision</b>	<p>The appeal site already has a notable urban presence within the landscape. In this context, the proposed dormer windows in themselves would be unlikely to dominate the surrounding area and would therefore would not harm the visual qualities of the wider rural setting.</p> <p>The proposal would not have an adverse effect on the character or appearance of the locality. The proposed variation to the design of the dormer windows would not be contrary to policies SP15 or DM21 of the East Suffolk Council Suffolk Coastal District Local Plan Core Strategy and Development Management Development Plan Document Policies, which seeks to ensure that proposals relate well to the scale, form and character of their surroundings. In addition, the proposal would not be contrary to the aims of the emerging policy SCLP11.1 in the Suffolk Coastal Local Plan, which seeks development to consider and respond to local context.</p>
<b>Learning point / actions</b>	Alterations may externally change the character of a building that has been previously extended if it would not look out of place.

#### Appeals relating to Enforcement Action

<b>Enforcement Case Number</b>	ENF/2014/0104
<b>Appeal Number</b>	APP/J3530/C/19/3227777
<b>Site</b>	Land at Top Street, Martlesham
<b>Description of Development</b>	The breach of planning control as alleged in the notice is without planning permission the change of use of land from a mixed use for agriculture and storage of cars and containers to the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and other miscellaneous items not associated with agriculture.

Type of notice	Enforcement Notice (served 1 <sup>st</sup> April 2019)
Decision Date	20 July 2020
Appeal Decision	Appeal Dismissed and the enforcement notice is upheld with variations
Main Issues	The main issues in this case were the unauthorised use of the land for the storage of vehicles, containers, caravans, trailers, boats, digger buckets, lorry backs, bricks, building materials, pallets, wall installation, scrap metal, metal drums, lorry trailers, rubbish, tyres and other miscellaneous items not associated with agriculture
Summary of Decision	Appeal Dismissed and extension of time given for compliance to 6 months
Learning Point / Actions	None

Enforcement Case Number	ENF/2015/0214/MULTI
Appeal Number	Appeal A Ref: APP/X3540/C/20/3247258 Appeal B Ref: APP/X3540/C/20/3247259
Site	Land at 98 Tangham Cottages, Capel St Andrew, Woodbridge, Suffolk IP12 3NF
Description of Development	Without planning permission the unauthorised change of use of the land and buildings from agriculture to a business, tourism and residential use, namely a therapy room, sauna, jacuzzi/hot tub and holiday let accommodation.
Type of notice	Enforcement Notice (17 January 2020)
Decision Date	26 June 2020
Appeal Decision	Appeal dismissed with variation relating to length of time for compliance
Main Issues	Unauthorised use of the land for business and tourism uses.
Summary of Decision	Enforcement appeal dismissed and Enforcement Notice upheld with a variation on some wording and on the time limit given for compliance. This was increased from 3 months to 6 months
Learning Point / Actions	None

Enforcement Case Number	ENF/2017/0170
Appeal Number	Appeal A: APP/X3540/C/19/3243064 Appeal B: APP/X3540/C/19/3243059
Site	Land adjoining Oak Spring (also known as Hodmadod Farm), off The Street, Darsham, Suffolk
Description of Development	The breach of planning control as alleged in the notice is without planning permission the unauthorised change of use of land from agriculture to a residential use, the stationing of a mobile home for residential use, with attached wooden cladding and roof, the stationing of a metal container, a modular building, formation of a pond and the storage of non-agricultural items.
Type of notice	Enforcement Notice (13 November 2019)
Decision Date	11 August 2020
Appeal Decision	Appeals Dismissed with the exception of the stationing of the metal container and the Enforcement Notice upheld with variations
Main Issues	The main issues in this case were the unauthorised residential use of the site and the stationing of a mobile home.

Summary of Decision	Appeals Dismissed under Ground (c) with the exception of the stationing of a metal container. The Enforcement Notice was amended.
Learning Point / Actions	None

Enforcement Case Number	ENF/2018/0330/LISTM
Appeal Number	APP/X3540/F/19/3231107
Site	Willow Farm, Chediston Green, Halesworth IP19 0BB
Description of Development	Without Listed Building Consent the unauthorised removal of two single glazed windows and their replacement with two double glazed windows and applied glazing bars.
Type of notice	Listed Building Enforcement Notice (17 May 2019)
Decision Date	21 July 2020
Appeal Decision	Appeal Dismissed
Main Issues	The main issues in this case were the unauthorised removal of two single glazed windows and their replacement with two double glazed windows and applied glazing bars.
Summary of Decision	Appeal Dismissed
Learning Point / Actions	None

Enforcement Case Number	ENF/2019/0272/DEV
Appeal Number	Appeal A: APP/X3540/C/19/3237075 (Enforcement Appeal) Appeal B: APP/X3540/C/19/3237076 (Enforcement Appeal) Appeal C: APP/X3540/W/20/3246581 (Appeal against refusal to grant planning permission)
Site	Rosery Cottage Barn, Lodge Road, Great Bealings, Woodbridge IP13 6NW
Description of Development	The breach of planning control as alleged in the notice is without planning permission the change of use of an agricultural building to a use for non agricultural storage and a domestic use introducing the capability of a potential residential accommodation use. In addition the development has not been built in accordance with the plans submitted under DC/15/1079/AGO  And  Application for retrospective planning permission for the erection of open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.
Type of notice	Enforcement Notice (16 August 2019) Planning Refusal (3 December 2019)
Decision Date	12 August 2020
Appeal Decision	Enforcement Appeal was deemed to be a nullity and the Enforcement Notice was quashed Planning appeal – permission was granted
Main Issues	The main issues in the enforcement case were the change of use of an agricultural building to a use for non agricultural storage and a domestic use introducing the capability of a potential residential accommodation use. In addition the development has not been built in accordance with

	<p>the plans submitted under DC/15/1079/AGO</p> <p>And</p> <p>The refusal to grant planning permission for open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.</p>
Summary of Decision	<p>Enforcement Notice quashed</p> <p>Planning permission granted for the open-sided lean-to, insertion of 14x No. rooflights and 2x No. woodburner flues.</p>
Learning Point / Actions	The Inspector deemed the wording of the notice to be ambiguous