



Appeal Decision

Site visit made on 1 April 2019

by Terrence Kemmann-Lane JP DipTP FRTPI MCI

an Inspector appointed by the Secretary of State

Decision date: 31st May 2019

Appeal Ref: APP/T3535/W/19/3220766

3 White Point, Eversley Road, Southwold, Suffolk, IP18 6AW.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Munro against the decision of Waveney District Council.
 - The application Ref DC/18/2428/FUL, dated 1 June 2018, was refused by notice dated 30 October 2018
 - The development proposed is construction of a glazed pavilion to roof terrace
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Decision

1. The appeal is allowed and planning permission is granted for a glazed pavilion to roof terrace at 3 White Point, Eversley Road, Southwold, Suffolk, IP18 6AW in accordance with the terms of the application, Ref DC/18/2428, dated 1 June 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans that are date stamped as being received by the Council on 8 June 2018: Roof Plan, West and East Elevations, Part Elevation/Part Section, and Elevation from Eversley Road, Blackmill Road Corner.
 - 3) No development shall commence until detailed drawings of the following matters shall have been submitted to the local planning authority and approved in writing: (i) eaves and verges; (ii) glazed rooflight; and (iii) junction details with the existing staircase tower. The developer shall notify the Council in writing when the development commences, and the approved details shall be implemented in their entirety not later 6 months from the date of that notification.

Main Issue

2. The main issue is whether the appeal proposal would preserve or enhance the character or appearance of Southwold Conservation Area.

Reasons

3. Section 72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. In doing so I should have regard to the development plan policies, which are quoted as

Policies CS02, CS17, DM02 and DM30 of the Core Strategy DPD¹ and Development Management Policies DPD². These seek high quality design, to protect and enhance the District's historic environment, particularly the character and appearance of conservation areas.

4. The Southwold Conservation Area Character Appraisal notes that this part of the conservation area consists mainly of late 19th Century and early 20th Century residential development, comprising large terraced or semi-detached houses at a high building density and where the streetscape is building dominated. There are no listed buildings immediately adjacent to the appeal site but most of the buildings in the vicinity are identified in the Conservation Area Appraisal as being buildings of local importance.
5. The appeal site is one of a number of flats created from a former British Legion building. It is the first floor flat and includes a roof terrace served by an enclosed staircase, which is a 'turret' structure with pyramid roof on the northern corner of the building. Around the perimeter of the roof terrace are planters with a built-in watering system. The roof also contains a light well. The building is of a pleasing modern design. In my opinion the interest created by this building adds to the character and appearance of the Conservation Area.
6. The appeal proposal is criticised by the Council as not in keeping with the existing building, pointing out that the existing turret was designed to be a focal point, making a very strong architectural statement. Attaching the proposed additional structure is said to dilute its visual impact, adding visual clutter to the clean roofline of the building. It is said that it would appear as a discordant feature, not relating to anything else in the area.
7. This pavilion is a simple glazed roof on a lightweight aluminium framework, also glazed. The pavilion's mainly flat roof has a middle section with a shallow pitch. The pavilion is set back from the perimeter of the roof terrace, behind the planters and seats that surround the terrace, which keep people away from the parapet. I consider that it complements the existing design, rather than detracts from it. As to its prominence in the Conservation Area, it would be seen from 2 near viewpoints and some private gardens, but would not be unduly prominent. Regarding longer distance views, from what I saw at my site visit and the photos submitted by the Council, it appears that the roof of White Point can only be seen from a small part of Southwold Common. From this distance, the staircase turret can be made out, but the pavilion would intrude to such a small extent that it would have no appreciable effect in the view.

Other matters

8. I have taken account of all other matters raised, including previous schemes that have been refused, and the concerns of neighbours about privacy and overlooking. So far as the latter is concerned, the roof was designed as a terrace, and the effect on overlooking and privacy, such as it is, will be no greater with the pavilion. It is true that the pavilion will allow the terrace to be used in inclement weather, but at such times there will be little use made of gardens and patios, etc. None of the concerns raised amount to a significant matter that would warrant the withholding of permission

¹ Waveney District Council Core Strategy Development Plan Document, Adopted January 2009.

² Waveney District Council Development Management Policies Development Plan Document, Adopted January 2011.

Conclusion

9. White Point is of very modern design, with light rendered walls and much use of glass and stainless steel. It is different from the other buildings in the vicinity, but makes its own contribution to the Conservation Area. I consider that the proposed pavilion is in keeping with the original design, so that White Point and the appeal proposal will preserve or enhance the character or appearance of the Conservation Area. Therefore the appeal proposal is in conformity with Policies CS02, CS17, DM02 and DM30, and I will allow the appeal.

Conditions

10. A number of conditions have been suggested by the Council. I have considered these in the light of Planning Practice Guidance (PPG). For clarity and to ensure compliance with the PPG I have amended some of the text. The conditions require i) compliance with the details shown on the application drawings, and ii) that specific details of eaves and verges, the glazed rooflight and junction details with the staircase tower be submitted for approval by the Council. I agree that these are necessary i) to provide certainty, and ii) to ensure the satisfactory appearance of the development in the interests of preserving or enhancing the character or appearance of the conservation area, since the application did not include these elements in sufficient detail.
11. The last condition as suggested by the Council requires the approved details to be implemented in their entirety before the building is first occupied. This is inappropriate because the building and roof terrace are already occupied. I have therefore framed the condition so that there is a period for compliance that follows from the commencement of the development.

Terrence Kemmann-Lane

INSPECTOR