

Appeal Decision

Site visit made on 2 May 2017

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12th May 2017

Appeal Ref: APP/D3505/W/17/3168547

The Old Telephone Exchange, Holbrook Road, Stutton, Ipswich IP9 2RY

- 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 Adrian Gray against the decision of Babergh District Council.
 - The application Ref B/16/01078/FUL/JAC, dated 2 August 2016, was refused by notice dated 4 October 2016.
 - The development proposed is the erection of a pair of semi-detached cottages.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the area.
 - The effect of the development on the living conditions of adjoining occupiers with specific regard to overlooking.

Reasons

Character and Appearance of the Area

3. The appeal site is rectangular in shape and contains a single building which is described as the old telephone exchange. The site is bounded by a timber fence where it abuts the rear garden of the property at 14 Stutton Close.
4. From my site visit I noted that the area is characterised by a low density ribbon development along Holbrook Road which is predominately bungalows, although two storey dwellings are apparent in the wider area and to the rear of the site at Stutton Close. Dwellings are mainly set back from the road with parking areas to the front and gardens to the rear. The area has a pleasant rural quality and sense of spaciousness as one travels along Holbrook Road, which contributes to the character of the area.
5. The proposed development would fill almost the entire width of the site with little space around the dwellings. The building would dominate the site at odds with the otherwise open character of Holbrook Road and would result in a cramped form of development. This is compounded by the small gardens proposed to the rear and the narrow access to the main entrance doors to the side of the dwellings. The development would therefore erode the spacious

qualities of the area resulting in material harm to the character and appearance of the area.

6. Turning to design, the elevation facing Holbrook Road contains windows that serve the living room and bedrooms 2 and 3 of the proposed dwellings. The main entrance doors are to the side of the dwellings, via a narrow access. The orientation of the ridgeline follows that found at Stutton Close and although no doors are provided on the elevation facing Holbrook Road, I do not find this element unacceptable. Notwithstanding these particular issues, I find the scale of the development in relation to its plot size harmful to the character and appearance of the area.
7. On the first main issue I conclude that the development would have an unacceptably harmful effect on the character and appearance of the area. The development would be in conflict with policies CN01 and HS28 of the Babergh Local Plan Alteration No.2 (2006) which seek to ensure, among other things, that development proposals are in keeping with the scale and form of adjacent developments and the environment surrounding the site.

Living Conditions

8. Both parties confirm that the rear of the proposed dwellings would be sited some 8.5m from the shared boundary of 14 Stutton Close. The south elevation of the proposed dwellings contains a number of windows that serve bedrooms at first floor level. These windows would overlook the rear garden area at such a close distance that it would impact detrimentally on the living conditions of the occupier and make the garden area less attractive to use. In addition, although the rear elevation of the adjoining property is at an oblique angle to the proposed dwellings, there would still be a semblance of overlooking to its living areas.
9. The west elevation would contain two rooflights that the appellant confirms would be 1.7m above floor level. Accordingly, overlooking to the neighbouring property from these windows is unlikely to occur. However, this elevation also contains a bathroom window that will be obscurely glazed. As a result, there is likely to be perceived, although not actual, overlooking to the garden and living areas of 14 Stutton Close from this window that would have a further impact on the living conditions of the adjoining occupier.
10. On the second main issue I conclude that the development would have an unacceptable impact on the living conditions of the occupier of 14 Stutton Close through overlooking. The development would be in conflict with policy HS28 of the Babergh Local Plan Alteration No.2 (2006) which seeks to ensure, among other things, that development proposals do not have an unacceptable impact on residential amenity.

Other Matters

11. I appreciate that the design seeks to reflect the local vernacular and that suitable materials could be employed. I acknowledge that the proposal would cause no material loss of sunlight or daylight to residents of neighbouring properties and that the dormer and rooflights would not give rise to an unacceptable loss of privacy to the occupiers of the dwelling at No 15. Although there is support for the principle of housing in this location neither

this nor any other material consideration that has been advanced outweighs the identified harm and conflict with policy.

Conclusion

12. I have found that the proposed dwelling would cause unacceptable harm to the character and appearance of the area and the living conditions of adjoining occupiers. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR