
Appeal Decision

Site visit made on 1 September 2020

by David Reed BSc DipTP DMS MRTPI

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

Decision date: 14 September 2020

Appeal Ref: APP/X3540/W/20/3251869
70 Wangford Road, Reydon IP18 6NX

- 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 James Thompson against the decision of East Suffolk Council.
 - The application Ref DC/20/0542/FUL, dated 31 October 2019, was refused by notice dated 6 April 2020.
 - The development proposed is the construction of a new 3 bedroom detached dwelling (Use Class C3).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the street scene;
 - whether the proposal would provide satisfactory living conditions for future occupiers in relation to outlook and outdoor amenity space; and
 - whether the proposal would be likely to adversely affect Suffolk Coast European Sites as a result of recreational disturbance.

Reasons

Character and appearance

3. The proposal is for the construction of a new detached dwelling on part of the garden of No 70 Wangford Road, a detached house in large grounds on the corner of Wangford Road and Jermyns Road. The new plot would front onto Jermyns Road with the existing No 70 on one side and a row of bungalows (Nos 30-24 Jermyns Road) on the other separated by a long driveway which serves a further detached house (No 32 Jermyns Road) to the rear.
4. With these near neighbours and other bungalows and two storey houses opposite, the area includes a variety of building forms so the proposed single storey dwelling with a bedroom in the roofspace would not be out of place as a building type. The plot to build ratio of 31% would also be within the local range. However, the new dwelling would be oriented to extend almost the full length of the plot and only about half its width with the parking and amenity space to one side. According to the Council the dwelling would extend to only

about 1-1.5 m from the rear boundary and 3.5-4.5 m from the front boundary, resulting in an unduly long east elevation clearly open to view alongside the driveway to No 32 and diagonally across the front garden of No 30¹. This would be out of character in a residential area with a traditional layout of properties set back behind front gardens with private gardens to the rear. The dwelling would significantly breach the building line along the road projecting out well beyond No 70 on one side and the bungalows on the other.

5. The proposed dwelling would also be oriented with its entrance porch and principal elevation facing No 70 rather than towards Jermyn Road which is the case elsewhere in the vicinity. This would leave an incongruous end elevation facing the road which would be a discordant feature in the street scene².
6. The appellant draws attention to other properties in the area which are close to the road, including some at the other end of Jermyn Road and along Wangford Road, but these are all some distance away and do not justify the proposal in a section of Jermyn Road where the siting of the properties is more uniform. The host property No 70 faces towards Wangford Road, but this is on a corner plot and the side elevation facing Jermyn Road is set well back and designed as an important public facing elevation with regular fenestration.
7. For these reasons the proposal would significantly harm the character and appearance of the street scene in conflict with Policies WLP8.29 and WLP8.33 of the Waveney Local Plan 2019 (WLP) and Policy RNP10 of the Reydon Neighbourhood Plan (RNP) which has reached Decision Statement stage. These seek to ensure proposals respond to the relationship between buildings and the street scene, are in keeping with the character of the surrounding development and retain or enhance the character of the village.

Living conditions

8. The principal elevation of the dwelling, with the main living room window, would face the side boundary of the plot and the rear elevation of No 70. Whilst perhaps an unusual aspect, the boundary fence would be about 9 m away, a reasonable distance, and although No 70 would be quite close behind, the elevation concerned is relatively narrow with the first floor within a gable, reducing its bulk. As such No 70 would not appear overbearing in the outlook from the dwelling. The first-floor windows in the elevation facing the dwelling could be fixed shut and obscure glazed to avoid any actual loss of privacy, although a feeling of overlooking might remain.
9. The outdoor amenity space for the property would comprise about 90 m² at the rear of the plot and a strip of decking in front of the principal elevation totalling about 126 m² in all. Whilst not particularly generous the Council has not adopted any standards in this respect and the appellant points out several nearby properties with similarly constrained gardens (eg 70A Wangford Road, 20 & 20A Jermyns Road). The first-floor windows of No 70 and No 32 Jermyns Road would overlook the amenity space but the former could be fixed shut and obscure glazed as explained above and the latter only offer an oblique view and are currently screened by some tall conifers.
10. These concerns are not serious enough to warrant dismissal of the appeal. The proposal would provide sufficiently satisfactory living conditions for future

¹ As shown by Sections X-X and S-S on drawing P002

² As shown by Sections U-U and Z-z on drawing P003

occupiers in relation to outlook and outdoor amenity space and thus would not conflict with Policies WLP8.29 and WLP8.33. These require proposals to provide a good standard of amenity for future occupiers and useable and proportionately sized amenity spaces.

European sites

11. The site lies within 13 km of various ecologically important Suffolk Coast European Sites where even one dwelling, in combination with other schemes, is likely to lead to additional visitor disturbance due to an increase in nearby residents. However, the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy has identified a series of measures that would avoid and mitigate such harm provided a financial contribution of £321 is made in the circumstances of this case. The appellant has offered to make this contribution but due to an oversight no upfront payment or S106 obligation has been submitted. A condition is proposed but this is not a satisfactory means of securing payment under the strategy.
12. Therefore, as matters stand, the proposal would be likely to adversely affect Suffolk Coast European Sites as a result of recreational disturbance in conflict with Policy WLP8.34 which seeks to protect such sites.

Conclusion

13. The proposal would provide an additional three bedroom dwelling which would make a contribution towards housing needs and have economic and social benefits for the local area. Occupation as a principal residence to satisfy Policy RNP4 could be secured by condition. Notwithstanding these benefits, and whilst satisfactory living conditions for future occupiers would be provided, in the light of the conclusions reached under the first and third main issues, the appeal should be dismissed.

David Reed

INSPECTOR