
Appeal Decision

Site visit made on 19 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 October 2020

Appeal Ref: APP/X3540/W/20/3245184
799 Foxhall Road, Ipswich, Suffolk IP4 5TJ

- 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 T Dockerill against the decision of East Suffolk Council.
 - The application Ref DC/19/3264/FUL, dated 13 August 2019, was refused by notice dated 11 October 2019.
 - The development proposed is severance of part garden and erection of detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted the Suffolk Coastal Local Plan (LP) on 23 September 2020. This covers the former Suffolk Coastal District, administered by the current East Suffolk Council. This newly adopted LP provides the policies relevant to my decision.
3. The appellant has made the payment sought by the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy, so as to satisfy the Habitats Regulations and enable me to carry out the necessary Appropriate Assessment, should the proposal be otherwise acceptable. This measure addresses the Council's second reason for refusal, which no longer comprises part of the following main issue.

Main Issue

4. Whether this proposal would be appropriate in this location, with particular regard to the character and appearance of the area and the outlook and privacy of neighbouring occupiers.

Reasons

5. The appeal property comprises a bungalow fronting a main road running through a suburban housing area. It has a quite long back garden of similar length to the neighbouring dwellings fronting onto this stretch of Foxhall Road. The bungalow occupies a corner plot at the junction with Broadlands Way. It has a vehicular access onto this road at the end of the back garden, serving garaging/outbuildings. This furthest part of the garden would provide the plot for the separate three-bedroom chalet bungalow sought, with frontage onto and separate access from Broadlands Way.

6. Broadlands Way serves an area of quite high-density residential estate development. Even in this context, the proposal would appear quite cramped and out of keeping, with very little space to its rear and to one side and, for three-bedroom accommodation, a rather small garden overall. The occupiers of the first two houses on Glemham Drive, nos. 2 and 4, would view this dwelling from their rear windows and quite short back gardens. Although the small windows in the box dormer on the facing roof slope would be obscure glazed, a development so close to these neighbours' boundaries would appear quite dominant and overbearing, creating the impression of a loss of privacy.
7. The rear of the proposed dwelling would also be close to the side boundary with the next-door bungalow at no. 801. The development would be adjacent the further part of this neighbour's quite long back garden, where there are sheds. The proposal would be viewed more obliquely and at a greater distance from the rear windows of this next-door bungalow. Although the only overlooking would be from an upstairs bedroom, rather than a main habitable room, and be towards the far part of the property, there would remain significant harm to the living conditions of these neighbours from a loss of back garden seclusion.
8. Located within a space that helps provide necessary back to back separation between the respective dwellings on Foxhall Road and Glemham Drive, the proposed three-bedroom chalet bungalow would comprise a cramped and contrived form of development, harmful to the character and appearance of the area and to the living conditions of immediate neighbours. The adverse impacts would outweigh the benefits to housing supply of an additional dwelling, where this might otherwise have been acceptable in principle. Therefore, the scheme would conflict with the LP as a whole, and in particular policies SCLP11.1, SCLP11.2 and SCLP5.7. This is insofar as these seek infill and garden development be of a satisfactory design, both in respect of the character and appearance of the area and the living conditions of existing and future residential occupiers.

Conclusion

9. For the reasons given, I conclude that the appeal should be dismissed.

Jonathan Price

Inspector