



Appeal Decision

Site Visit made on 13 October 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2020

Appeal Ref: APP/W3520/D/20/3246469

44 Townhouse Road, Walsham Le Willows IP31 3BP

- 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 Ali Waugh against the decision of Mid Suffolk District Council.
 - The application Ref DC/19/05103, dated 29 October 2019, was refused by notice dated 17 December 2019.
 - The development proposed is a rear extension to existing end terrace property.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the host dwelling and surrounding area,
 - the effect of the proposed development on the living conditions of the occupiers of the neighbouring property, 42 Townhouse Road, in relation to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal property is a two-storey semi-detached dwelling located within a residential area. It currently has no previous extensions. The proposal would introduce a two-storey extension to the rear of the dwelling to provide additional habitable accommodation.
5. Although the proposal would be to the rear and would have limited visibility from the public realm, the extension would be a significant addition to the rear of the property, extending nearly the full width of the dwelling. Its bulky flat roof form, with a height greater than the eaves height of the host dwelling, would give the extension an over dominant and incongruous appearance. This would be exacerbated by the contemporary design and materials proposed, which would not match the traditional form of the host dwelling or surrounding properties, most of which are similar in design and have not been extended.

The proposed extension would therefore be out of keeping with the surrounding area.

6. The appellant has suggested that a condition could be included to agree the materials with the Council once planning permission has been granted. However, this would not overcome the issues found regarding the size and design of the proposal.
7. Consequently, the proposed development would be harmful to the character and appearance of the host dwelling and surrounding area and would be contrary to Policies H16 and H18 of the Mid Suffolk Core Strategy Development Plan Document (2008). The relevant sections of these policies require new development to protect the existing character of the surrounding area and ensure it is in keeping with the size, design and materials of the existing dwelling.

Living Conditions

8. There would be no side facing windows on the proposed development and no concerns have been raised by the Council with regard to the impact on the neighbouring occupier's privacy. The extension has been designed so that the first-floor element is angled away from No 42. However, the two-storey element would still have a considerable depth and would have a significant height which would be greater than the eaves height of both dwellings. The height and bulk of the proposal, combined with its proximity to the boundary, would result in a detrimental sense of enclosure for the occupiers of No.42 when in their conservatory adjacent to the proposed development.
9. It is stated that the neighbouring conservatory does not currently receive daylight or sunlight at all times due to the existing boundary treatment. Although a plan provided by the appellant shows that the proposal would have a limited impact on the sunlight received by No.42, particularly the nearest first floor window, the proposal would further impact the already restricted daylight to the adjacent conservatory. This thereby contributes to the overbearing nature of the proposal which would be experienced by the occupiers of this neighbouring dwelling.
10. Therefore, the proposed development would adversely affect the outlook from No 42 and so would be harmful to the living conditions of the occupiers of the neighbouring dwelling and therefore would be contrary to Policies H16 and H18. The relevant sections of these policies seek to prevent development that materially reduces the amenity of adjacent dwellings.

Other Matters

11. A plan has been provided to demonstrate the rear extensions which could be undertaken under permitted development rights and the appellant has suggested that these extensions would be demonstrably more harmful than the proposal. However, the plan provided shows that the depth of the two-storey element would not be as significant, the eaves height would be lower and the bulk at first floor would be less. It is considered therefore that this fall back would not be likely to be more harmful than the appeal proposal, so is of little advantage.
12. A similar two-storey rear extension at 18 Townhouse Road has been highlighted by the appellant, on which the proposal was modelled. Although the

plans provided show that this development also angles away from its neighbours at first floor level, the proposal at No.18 has a lower eaves height and is more traditional in appearance compared to the appeal proposal. Therefore, it is not directly comparable to the appeal proposal before me.

Conclusions and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR