The Planning Inspectorate

Appeal Decision

Site visit made on 15 February 2022

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2022

Appeal Ref: APP/X3540/D/21/3275831
Orchard Piece, Lodge Road, Walberswick, IP18 6UP

- 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 and Mrs G Green against the decision of East Suffolk Council.
- The application Ref DC/21/0429/FUL, dated 28 January 2021, was refused by notice dated 26 March 2021.
- The development proposed is described on the application form as 'Rear side and front extension and erection of a detached garage and store.'

Decision

1. The appeal is allowed and planning permission is granted for rear side and front extension and erection of a detached garage and store at Orchard Piece, Lodge Road, IP18 6UP in accordance with the terms of the application, Ref DC/21/0429/FUL, dated 28 January 2021, subject to the following conditions:

   1) The development hereby permitted shall be carried out in accordance with the following approved plans: 2103/01, 2103/02, 2103/04 and 2103/05.

   2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matter

2. During my site visit I noted that the development had already commenced, with the detached garage erected and the side, front and rear extensions started. As such, the appellant is seeking permission part retrospectively.

Main Issues

3. The main issues are:

   - The effect of the proposed development on the character and appearance of the appeal site and surrounding area.

   - The effect of the proposed development on the living conditions of the neighbouring property directly to the east of the site, with particular regard to outlook.

Reasons

Character and Appearance

4. The host property is a chalet style bungalow, although it has a predominantly two-storey appearance when perceived from the street scene, given the relatively high ridge height and the composition of fenestration at first floor

level. The surrounding area is predominantly characterised by detached properties set within fairly spacious plots. Properties in the surrounding area vary significantly in terms of their scale and appearance.

5. The proposed development includes a side extension at first floor level which would match the existing maximum ridge height of the host property. The side extension would bring the host property closer to the boundary with the neighbouring dwelling to the east. However, a small gap would be retained between the dwelling and this boundary and pedestrian access to the rear would be possible along the properties western flank.

6. The proposed development would result in the host property filling more of the plot. However, the side extension would have a relatively modest width in comparison to the existing width of the host property, which already fills much of the plot. As such, even though it would match the existing ridge height of the host property, it would not be out of keeping with the character of surrounding properties, many of which are more prominent in the street scene. The massing of the development is therefore acceptable in this regard. Furthermore, taking into account the existing set-back of the property and the existing boundary planting, the visual impact of the proposed development would not be particularly prominent. The proposed detached garage would also assist in reducing the visual impact of the side extension.

7. For these reasons, the proposed development would be in keeping with the character and appearance of the surrounding area and it would therefore comply with Local Plan[1] Policy SCLP11.1, which requires in part that new development is in keeping with local character.

Living conditions

8. The proposed side extension would bring the host property closer to the neighbouring dwelling to the east of the site (referred to as 'Primrose Cottage' on the submitted site plan). However, this neighbouring property is not located in close proximity to the boundary and a detached garage is located between the two dwellings. Given that a significant separation distance would be retained between the development and the neighbouring dwelling, there would be no harmful overbearing impact. Furthermore, there is well established planting between the two properties which would further reduce the visual prominence of the development when perceived from the neighbouring property.

9. As such, the proposed development would not have a harmful impact on the living conditions of neighbouring occupiers. It would therefore comply with Local Plan Policy SCLP11.2, which requires that new development does not cause an unacceptable impact on the living conditions of existing neighbouring occupiers.

Other Matters

10. The appeal site is located within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB). I consider that the development conserves the landscape and scenic beauty of the AONB, given its relatively modest scale and limited visual impact.

[1] Suffolk Coastal Local Plan - Adopted September 2020

11. The Council's Officer Report also refers to the need for the removal of a 'large mature tree' to the rear of the property. However, it is not clear which tree the Council are referring to. Indeed, during my site visit I could not identify any such tree to the rear of the property (which may be because it has been removed). As such, this matter does not alter my findings.

Conditions

12. Given that the development has already commenced, a time limit condition is not necessary.

13. Condition 1, listing the approved plans, is necessary in the interest of certainty.

14. Condition 2, requiring matching materials, is necessary in order to ensure that the development is in keeping with the character and appearance of the host property.

15. These conditions accord with the advice contained in the Planning Practice Guidance (PPG).

Conclusion

16. The proposed development complies with the development plan taken as a whole. There are no other material considerations of sufficient weight which indicate that a decision should be made other than in accordance with the development plan. As such, the appeal is allowed, subject to conditions.

Luke Simpson

INSPECTOR