

# Appeal Decision

Site visit made on 17 May 2022

**by Mr R Walker BA HONS DIPTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 14 June 2022**

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**Appeal Ref: APP/X3540/W/21/3285956**

**Land Rear of 108 - 114 High Road West, Felixstowe IP11 9AL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr T Mosedale against the decision of East Suffolk Council.
  - The application Ref DC/21/3057/OUT, dated 17 June 2021, was refused by notice dated 27 August 2021.
  - The development proposed is erection of bungalow.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. Following the payment of a financial contribution to the Suffolk Recreational Avoidance Mitigation Strategy (RAMS), the Council has withdrawn its second reason for refusal. I will return to this matter in the Other Matters section of my decision.
3. The planning application was made in outline with all matters reserved. As such, I have regarded all elements of the drawings submitted as indicative.

## Main Issue

4. Accordingly, the main issue is the effect of the proposal on the character and appearance of the surrounding area.

## Reasons

5. The appeal site lies within an area of land between High Road West, Exeter Road and Candlelit Grove. Properties along this part of High Road West and Exeter Road have long or large rear gardens with the main buildings positioned close to the roads. Whilst there are outbuildings, fences, planting and domestic paraphernalia such as play equipment, the distance to the surrounding dwellings from the appeal site results in a distinctly spacious quality.
6. The proposal would introduce a single dwelling in this open area, away from the road, between gardens and properties on High Road West and Exeter Road. In this regard, it would fail to harmonise with the established surrounding pattern of housing.
7. Accessed by a narrow driveway passing very near buildings at Nos 112 and 114 and behind gardens, it would appear as a contrived ad-hoc development. Although indicative, the site layout shows that the dwelling would be positioned at the end of the access drive where, in my view, it would be seen from the

- access point onto the road. Moreover, although it would be a bungalow it would be visible to varying degrees from surrounding properties and from gardens.
8. Even incremental changes can erode the character of an area and as such, although it would not be prominent from public vantage points, it nonetheless would be incongruous in its positioning.
  9. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the surrounding area. As such, I find that the proposal would conflict with the requirements of Policy SCLP11.1 of the Council's Suffolk Coastal Local Plan (2020) and paragraphs 130 and 134 of the National Planning Policy Framework (2021). These stipulate, amongst other things, that the layout should fit in well with the existing neighbourhood layout and respond to the ways people and vehicles move around both internal and external to existing and proposed buildings.
  10. In reaching this conclusion, I have had regard to a recent development of five bungalows to the rear of 62-80 High Road West which lies not far to the east of the appeal site beyond the junction with Garrison Lane. These bungalows form part of the existing character of the wider area along the road and were not granted at the time of a previously dismissed appeal scheme (3194454) for a bungalow at the appeal site.
  11. There are similarities between the appeal site and the site of the five bungalows to the rear of 62-80 High Road West, particularly in their location between the rear of gardens of properties, but also with the planning history. In this regard, the bungalows do appear to depart from the established pattern of frontage housing in that part of the road.
  12. However, positioned to the east of the junction with Garrison Lane, it does not form part of the same grouping of buildings as the appeal site. More pertinently, it is a larger site, with multiple bungalows and its wider access integrates well with High Road West. The combination of which, results in a development that does not appear as an ad-hoc contrived feature. This is in contrast with the appeal scheme before me. As such, the circumstances are not directly comparable to the proposal before me and do not justify a harmful erosion of the character of the area surrounding the appeal site.
  13. The government places considerable importance on making effective use of land to boost the supply of housing. The proposal would deliver economic and social benefits from the construction and occupation of the bungalow. This would be suitable for a varied age range and would be in a sustainable location utilising a vacant unused parcel of land. However, as a single bungalow, the extent of these benefits would be limited and, as such, I attach limited weight to them. Therefore, such benefits do not outweigh the conflict with the development plan that I have identified in this instance.
  14. The appeal site is within the 13km zone of influence of the Stour and Orwell Estuaries and Deben Estuary Special Protection Areas and Ramsar sites (the European Sites). Given the location of the appeal site to the European Sites, the Habitat Regulations<sup>1</sup> require an assessment to be undertaken, as to whether the proposal would be likely to have a significant effect, on the interest features of a protected site. This includes potential effects from

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<sup>1</sup> The Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations)

recreational disturbance from occupiers of new residential development. As the competent decision-making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme.

15. However, I have already identified harm to the character and appearance of the surrounding area, such that undertaking my own Appropriate Assessment would not alter the outcome of the appeal. On that basis, there is no need to examine this matter further for the purposes of making my decision.

### **Conclusion**

16. For the reasons given above, the proposal would conflict with the development plan when read as a whole and there are no material considerations that outweigh that conflict. Accordingly, the appeal is dismissed.

*Mr R Walker*

INSPECTOR