

Appeal Decision

Site visit made on 17 November 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/X3540/D/22/3306202

36 Ashburnham Way, Lowestoft, Suffolk NR33 8SJ

- 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 Rouse against the decision of East Suffolk Council.
 - The application Ref DC/21/4834/FUL, dated 20 October 2021, was refused by notice dated 25 July 2022.
 - The development proposed is 'front porch extension, side two storey extension, rear extension, materials'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and the surrounding area, including the effect on use of the adjacent public footpath.

Reasons

3. The appeal property is a detached two storey dwelling in a residential estate to the north side of Ashburnham Way, with a supermarket, other shops and large car park on the opposite side. A public footpath is sited adjacent to the western boundary of the appeal property, providing pedestrian access between Ashburnham Way and Thistledown, a residential cul-de-sac to the rear of No 36.
 4. Policy WLP8.29 of the East Suffolk (Waveney) Local Plan (2019) expects development proposals to demonstrate high quality design which reflects local distinctiveness. This includes demonstrating a clear understanding of the form and character of the built, historic and natural environment and using this understanding to complement local character and distinctiveness.
 5. No 36 and neighbouring dwellings are laid out in an irregular pattern with no common building lines. The appeal property is not as wide as the majority of surrounding dwellings and, therefore, the additional frontage width resulting from the side extension would not be an uncharacteristic change to the original built form. The porch and rear extensions would similarly be proportionate and subordinate to the scale of the original dwelling. While the porch extension
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- would introduce a somewhat more contemporary flat-roofed design feature in a prominent location to the front, this would not be so incongruous or uncharacteristic in its appearance to result in material harm.
6. The extended two-storey side wall would be directly next to the footpath. However, this is a short section of straight path with views available from one end to the other and the boundary wall to the other side of the path is not of significant height. Consequently, the side extension would not result in an oppressive or overbearing presence that would harmfully effect the safe use of the public footpath.
 7. Despite the irregular layout and varied design of dwellings, the estate of which No 36 is part displays a good degree of uniformity resulting from the use of brick as the principal external material, which is part of its local distinctiveness. In addition, a particular feature of the estate's character and appearance is the serpentine brick boundary walls that are prominent in the street scene. I note that the appeal proposal involves replacement of the serpentine wall to the side of No 36 with a different form of boundary treatment, although this can be undertaken as permitted development. Furthermore, the whole of the original dwelling would be rendered, while the two storey side extension would be clad in cedar boarding.
 8. The appeal property is in a prominent location, facing the road in an open setting where it and the neighbouring brick-built dwellings provide a strong degree of consistency of character and appearance. Despite the existing render to the side elevation, the extent of the changes to the dwelling's external appearance in this setting would be highly visible and readily apparent by contrast to the uniform character and appearance of surrounding properties. As such, the extent of these changes to the whole of the dwelling would appear incongruous and would harmfully undermine the planned character and appearance of this part of the estate.
 9. I acknowledge that the proposed extensions are intended to create additional living space and improved parking, and that there were no objections from neighbouring residents. However, these matters are not sufficient basis to overcome the harm that has been found. I acknowledge also the frustrations expressed about the overall process, but this appeal is only concerned with the planning merits of the proposed development.
 10. Therefore, for the above reasons, I conclude that the proposal would have an unacceptably harmful effect on the character and appearance of the host dwelling and the surrounding area, although it would have no such effect on use of the adjacent public footpath. Consequently, the proposal is contrary to Policy WLP8.29 of the East Suffolk (Waveney) Local Plan, as described above.

Conclusion

11. For the reasons given it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR