



Appeal Decision

Site visit made on 24 August 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 September 2023

Appeal Ref: APP/W3520/W/23/3314146

Hill House, Haughley Green, Stowmarket, Suffolk IP14 3RR

- 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 Mark Madgwick against the decision of Mid Suffolk District Council.
 - The application Ref: DC/22/0272 dated 24 May 2022 was refused by notice dated 22 July 2022.
 - The application is for change of use of an existing annexe to a residential dwelling along with subdivision of the plot (revised scheme to DC/21/0437).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in early September 2023 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
3. The description in the Council's decision notice differs slightly from that used in the Appellant's original application form. In Part E of the Appeal form it is stated that the description of development has not changed and as such I use the description from the decision notice that I consider better reflects the nature of the development proposed.

Main Issues

4. The main issue is the impact of the proposal upon the living conditions of future residents.

Reasons

5. The appeal site is currently an ancillary building related to, and standing at the front of, Hill House. Hill House itself is a substantial 3 bay property of red brick and unusual tile decoration that stands slightly above the existing level of the main road that runs to the front of it. The frontage also contains gravelled parking for several vehicles.
6. The ancillary building itself fronts onto the road and to one side of the Hill House curtilage. Despite its blockwork walls being painted a pinkish colour the

building maintains an appearance synonymous with a garage or workshop of some kind. The proposal is to convert this ancillary building into a separate dwellinghouse that would be separate from that of Hill House.

7. I have evidence before me that approval was granted to convert this outbuilding into a granny annexe¹ and this appears to have been fully implemented. Internally I saw that there is a fully fitted building complete with living area, kitchen, bedroom and bathroom. The living area is served by a high level window and patio doors that look out onto a modest triangular space that is bounded by high timber fencing and whose ground level is laid to flags. There is also a gas storage tank present in one corner of the plot. Nearby there is an area of amenity land that can be seen from Hill House itself and that the Appellant feels could serve as adequate amenity space for the proposed separate dwelling.
8. In assessing this appeal I am not merely considering the quality that would be offered through the proposal for future residents, but I am also assessing the ability of this plot to function as a self contained dwelling, without impeding the enjoyment or privacy of others. This includes Hill House with which this site has been connected throughout its recent history.
9. I am required by The Framework to not only ensure proposals offer a high quality of design, but also to ensure that they offer a high standard of living accommodation and amenity for existing and future users. These requirements are largely reflected in saved Policies H16 and GP01 of the Mid Suffolk Local Plan and are a material consideration within this appeal.
10. I saw on my site visit that Hill House stands some height above the rear amenity space of this plot to such an extent that, despite the high screen fencing surrounding the space, it is possible for residents here to look directly into the rear space of the proposed dwelling. Moreover, the space itself is so utterly enclosed as to appear very cramped with both the fencing and Hill House itself looming over to such an extent as to create a harmfully over dominant impact.
11. Such a situation may have been acceptable for residents with whom Hill House had some relationship, but I consider that the space is completely unsuitable for a separate household to effectively function without the oppressiveness of its physical surrounds or the potential for direct overlooking from Hill House itself to seriously harm the living conditions of anyone living here.
12. Although I saw on my site visit the recreation area nearby, and although I appreciate that this would form some option for those requiring space and nature, this cannot compensate for the need for adequate, private, amenity space immediately related to a dwelling such as this.
13. Unfortunately, this proposal would offer only a claustrophobic and cramped space that would be dominated by its physical surroundings to such an extent as to cause serious harm to the living conditions of any resident who were to live here. In light of this I find an unassailable conflict between this proposal and the policies H16 and GP01 of the Saved Mid Suffolk Local Plan as well as

¹ Planning reference number DC/18/00079.

the emphasis upon high quality design contained within The Framework. As such this appeal must fail.

Conclusion

14. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR