



## Appeal Decision

Site visit made on 30 August 2023

**by Nick Bowden BA(Hons) Dip TP MRTPI**

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

**Decision date: 4 October 2023**

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**Appeal Ref: APP/W3520/D/23/3319930**

**1 Mill Lane, Woolpit, Suffolk IP30 9QX**

- 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 E Lebbon against the decision of Mid Suffolk District Council.
  - The application Ref DC/22/06268, dated 19 December 2022, was refused by notice dated 30 March 2023.
  - The development proposed is a two storey rear extension.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed extension on the living conditions of the occupants of 3 Mill Lane with particular regard to outlook and light.

### Reasons

3. Numbers 1 and 3 Mill Lane form a pair of brick built semi-detached houses. Number 3 Mill Lane has been altered since its original construction through the addition of side and rear extensions. Number 1 appears relatively unaltered.
4. The first-floor element of the extension to number 3 projects to the rear on one side of this house but is set away from number 1. The first-floor part of the extension to number 1 Mill Lane would span the full width of the rear of the host dwelling. Its depth would be comparable to the first-floor element at number 3.
5. This would set the first-floor rear facing bedroom at number 3 in a recessed area with blank walling to either side. This would noticeably deprive the room of natural light which will already be limited due to its orientation and position of the existing extension to number 3. The blank walling to both sides would, in conjunction, appear oppressive and overbearing when viewed from this window and dominate that room.
6. I note the appellant's comments regarding the window's aspect and suggestion that this is not to a principal living room. However, a bedroom is a habitable room and the additional built form in close proximity would further erode the natural light it receives. The appellant also notes that there is no right to a view. This is different to the outlook from a habitable room being confined to unbroken walling to both sides, as is proposed here. There is no prejudice to the appellant's right to construct an extension, but it is noteworthy that the proposal here is materially different to the existing one at 3 Mill Lane.

7. I conclude that the development would result in an oppressive and overbearing outlook and loss of natural light from the rear facing first floor bedroom at number 3 Mill Lane. The development therefore fails to comply with policy H16 of the Mid Suffolk Local Plan 1998, which seeks to protect residential amenity, and the National Planning Policy Framework.
8. I note that the decision notice refers to policies LP03 and LP24 of the Joint Local Plan. The draft plan is at an advanced stage, however, at the current time it does not form part of the statutory development plan. I can, therefore, only attach limited weight to the policies of the Joint Local Plan in this decision.

### **Conclusion**

9. For the reasons given above I conclude that the appeal should be dismissed.

*Nick Bowden*

INSPECTOR

