



Appeal Decision

Site visit made on 15 August 2023 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett MRTPI, DipTP, BSc (Hons)

an Inspector appointed by the Secretary of State

Decision date: 26 March 2024

Appeal Ref: APP/D3505/D/23/3318859

44 The Strand, Wherstead, Ipswich, Suffolk IP2 8NL

- 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 Ms Sarah Ashbrook against the decision of Babergh District Council.
 - The application Ref DC/22/05408, dated 30 October 2022, was refused by notice dated 17 February 2023.
 - The development proposed is side/rear extension and loft conversion with dormers. The existing exterior walls are to be clad.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard to before deciding the appeal.
3. Since the determination of the application by the Council, it has adopted the Babergh & Mid Suffolk District Councils Joint Local Plan – Part 1 (2023) (JLP). The JLP has superseded the most relevant policies from the Babergh Local Plan (2004) and the Babergh Local Plan 2011-2031 : Core Strategy and Policies (2014). Following the adoption of the JLP I have received the views of the main parties on the implications of the JLP for the proposal and I have determined the appeal based on the adopted policies in the JLP referred to by the Council.
4. Areas of Outstanding Natural Beauty (AONB) have, since 22 November 2023, been renamed as National Landscapes. This change in terminology has not affected the reasons for their designation or the fundamental aspects of their special qualities. I have accordingly referred to the Suffolk Coast & Heaths AONB as the Suffolk Coast & Heaths National Landscape (SCHNL) in my recommendation.
5. In addition to the above, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

6. The Council have not raised any particular concern with the principal of the single storey side and rear element of the proposal and I have no reason to disagree with that view. Thus, my assessment of the proposal will focus on other elements of the development.

Main Issues

7. The main issues are the effect of the development on:
- the character and appearance of the surrounding area; and
 - the living conditions of the occupants of 42 and 46 The Strand with particular regard to privacy and whether it would have an overbearing impact.

Reasons for the Recommendation

Character and appearance

8. The appeal site is located within the SCHNL and the Framework places great weight on the conservation of the landscape and scenic beauty of a National Landscape.
9. The appeal property is a single storey detached dwelling located on the western side of The Strand. It also comprises a detached garage to the side and is set in a generous sized plot that backs on to open countryside. The location typifies the feeling of exposure and tranquillity of the coast and heaths. The settlement pattern of adjacent dwellings comprises single-storey and two-storey detached properties. Nevertheless, the distinctive character of the street scene is derived predominantly from single storey detached dwellings with hipped roofs and detached garages to the side. Whilst some of these dwellings have been extended to the side to meet the garage, such as 46 and 52 The Strand, these single storey dwellings are of similar design, and this helps maintain an appearance of a neat and unified street scene which contributes to the scenic beauty of the SCHNL.
10. The proposed dormer extensions would span a significant portion of the existing and extended roof. There would also be minimal stepping down from the ridge of the roof. In my view, the proposed two large dormers on the side elevations would present an awkward box-like roof form which would result in a disproportionate addition to the roof scape. They would also appear incongruous to the host dwelling and within the overall street scene, particularly from the front elevation facing the street. Additionally, they would be harmful to the SCHNL.
11. The proposal also includes a rooflight on the front elevation. However, such rooflights are not a feature on the dwellings in the area and this aspect adds a further adverse element to the proposal, albeit that such an additional impact is somewhat limited.
12. The appellant has drawn attention to some examples of dormer extensions to properties on The Strand. They also suggest that there is a variety of designs in the area. However, from what I observed at my site visit, none of the examples were directly comparable to the proposal before me, nor did they exhibit the same unacceptable impact. Moreover, each proposal must be considered on its individual merits.

13. Turning to the rear aspect of the proposal, this includes a large window to the master bedroom. Given its size and position, almost up to the ridge of the rear gable, the extent of the glazed area is likely to cause light spillage into the open countryside at the rear. Whilst the window would be inset from the integrated balcony area, light would still likely travel into the landscape. Taken together, these would be harmful to the character and appearance of the surrounding area and the SCHNL.
14. I note that the appellant has made changes to their scheme following the withdrawal of an earlier planning application with the view to finding a solution by reducing the size of the dormers. That said, this does not alter or outweigh my view that the proposed loft conversion with dormers would have an unacceptable effect on the character and appearance of the area and would neither conserve nor enhance the landscape character of the SCHNL.
15. I therefore conclude that the proposal would harm the character and appearance of the area, including the SCHNL, and would conflict with policies LP18 and LP24 of the JLP which amongst other matters seek to ensure that proposals integrate positively with the character of the area and reinforce local distinctiveness of the SCHNL and are compatible/harmonious with its location. It would also conflict with the overarching aims and objectives of the Framework.

Living conditions

16. The appeal proposal includes two new side facing dormer windows and a covered balcony area to the rear aspect. There would be bedrooms to the front and rear of the property with a landing and bathroom between them. The plans include windows in the box dormers on both sides, and these are all annotated as being obscurely glazed.
17. In my view, any overlooking from the side facing windows could be mitigated by the use of obscure glazing and this could be achieved by a suitably worded planning condition should I be minded to allow the appeal.
18. Turning to the rear facing window and balcony area, the proposed integrated balcony area would be recessed within the roof with full height walls to each side within the roof space. Therefore, the main view from the balcony would be to the rear garden of the host property. Whilst some views of the neighbouring gardens would also be possible, this would not be significantly different to say a normal rear facing bedroom window. To that end, I find that the proposal would not give rise to an unacceptable level of overlooking or loss of privacy.
19. The Council have also raised concern in respect of the size of the proposal and its impact to the neighbouring properties. Whilst the proposal would undoubtedly result in a larger built form, given the juxtaposition of the appeal property to its immediate neighbours, I consider that the increased size of the appeal property would not give rise to an overbearing development.
20. In conclusion, the proposal would not harm the living conditions of the occupiers of the neighbouring properties and would accord with policy LP24 of the JLP which, amongst other matters, seeks to ensure that new development protects the health and amenity of occupiers and surrounding uses by avoiding development that is overlooking or overbearing.

Other considerations

21. I acknowledge that the proposal would provide socioeconomic benefits with regard to the improvement of living space and living conditions of its occupants. Nevertheless, this would be solely to the benefit of the appellant and any benefits do not outweigh the harm that would be caused by the proposal.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence, and my representative's recommendation, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR