



Appeal Decision

Site visit made on 25 March 2024

by A Hartley, LLB(Hons), Solicitor, MBA

an Inspector appointed by the Secretary of State

Decision date: 24.04.2024

Appeal Ref: APP/D3505/D/24/3336914

Windy Ridge, Burstall Lane, Sproughton, Ipswich IP8 3DJ

- 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 Shaun Eagle against the decision of Babergh District Council.
 - The application Ref is DC/23/04905.
 - The proposed development is "Demolition of existing garage and erection of a residential annexe."
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the main building and the surrounding area.

Reasons

3. Windy Ridge is a large two-storey semi-detached dwelling set back from the highway of Burstall Lane. The dwelling sits within a linear pattern of dwellings along the south side of the highway, there are neighbours to the east and the attached neighbour to the west, with open agricultural land to the north and south. There is an existing garage set forward of the dwelling, in line with the building line of the neighbouring garage to the east. The garages are of the same scale, height and design, being clearly subservient to the main dwellings. This contributes positively to the character and appearance of the linear street scene as the ridge heights of the main dwellings remain the regular dominant design feature along the line of development.
4. The proposed annexe would be sited on the footprint of the existing garage following its demolition, and thus closer to the highway than the main dwelling. The ridge height would exceed that of the existing adjacent extension to the west of the proposal and is the minimum height that would be required to provide usable living accommodation within the eaves of the proposed annexe.
5. Due to its position forward of the existing dwelling, its greater ridge height and its juxtaposition with the neighbouring smaller garage, I find that it would be unduly prominent in the street-scene and would not appear ancillary to the main dwelling.

6. The distance between the main dwelling and the annexe, together with its position forward of the dwelling's building line would create the impression of a separate dwelling even though I note that the curtilage is not proposed to be sub-divided in this proposal.
7. Due to its position and design I find that the proposal would not easily integrate into the main building as a single dwelling house in the future, as it would not have a sufficiently close spatial relationship with the main dwelling. I reach this conclusion notwithstanding the Appellant's points about other potential future ancillary uses such as a gym or office space, and the existence of a shared vehicular access and rear garden area. In this case the driveway frontage and garden area are extensive, such that the sharing of the space does not correlate to a close spatial relationship with the main dwelling.
8. For these reasons I find the proposal conflicts with Policy LP02 of the Babergh and Mid Suffolk Local Plan (2023) in that it does not appear ancillary and subordinate to the main dwelling and the design does not lend itself to easily integrate into the main building as a single dwellinghouse when the need no longer exists. The proposal also conflicts with the National Planning Policy Framework that seeks high quality design that makes a positive contribution to its context.
9. Whilst the proposal would provide the benefit of additional living accommodation, I find that this does not outweigh the harm caused by the proposal to the character and appearance of the street scene and the conflict with the development plan outlined above.

Other Matters

10. Although it is regrettable that the pre application advice did not reflect the Council's formal decision, it is not bound to follow that pre-application advice. I have considered the proposal on its own merits and reached my decision based on the submitted plans and my own judgement.

Conclusion

11. For the above reasons and having regard to all representations made, I conclude that the proposal conflicts with the development plan taken as a whole and that there are no material considerations including the Framework that outweigh the harm caused by the proposal. The appeal should be dismissed.

A Hartley

INSPECTOR