



Appeal Decision

Site visit made on 8 January 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/X3540/D/24/3347634

3 Bridge Road, Reydon, Southwold IP18 6RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Brian Reynolds against the decision of East Suffolk Council.
 - The application Ref is DC/23/2454/FUL.
 - The development proposed is single storey side and rear flat roofed extension. Rear first floor pitched roof extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side and rear flat roofed extension. Rear first floor pitched roof extension at 3 Bridge Road, Reydon, Southwold IP18 6RR in accordance with the terms of the application, Ref DC/23/2454/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with un-numbered site location plan and drawing no A04-10 Rev C.
 - 2) The flat roofed area hereby approved shall not be used as a balcony, roof garden or similar amenity area.

Preliminary Matters

2. At my site visit, I observed the development had been carried out. There is an unfortunate history of applications involving inaccurate plans referred to by the parties. However, this history, and decisions taken by the parties with respect to continuing works and enforcement action, do not go to the planning merits of the development. It is on the basis of its planning merits that this appeal must be determined.
3. There are varying references to the name of the property. I have therefore used the address from the appeal form which refers to only the street name and number for the avoidance of doubt.
4. On 12 December 2024, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been materially amended. As a result, I consider there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach. I will refer to the updated paragraph numbers in this decision.

Main Issue

5. The main issue is the effect of the rear first floor extension on the living conditions of neighbouring occupiers with particular regard to light and outlook.

Reasons

6. The appeal property occupies a compact plot and sits immediately adjacent to the neighbouring property at 2 Bridge Road. The properties appear terraced from the front, however there is a narrow passageway at ground floor level. Consequently, the rear of the appeal property is set away from the boundary, while the side elevation of No.2 sits on that boundary. Both the ground and first floor extensions angle towards No.2 and project beyond the equivalent rear elevation of No.2. First floor rear openings in both properties are in the form of juliet balconies.
7. The limited length of the first floor extension beyond the rear elevation of No.2 and its position slightly away from the boundary means the extension is not unduly prominent when viewed from No.2. A good standard of outlook from the first floor opening of No.2 would remain, particularly given the properties to the rear of the site are set at a lower level. Although the appeal site is positioned due south, the limited length of the first floor extension means the effect on levels of both sunlight and daylight to the first floor openings of No.2 would be limited. A sunlight and daylight assessment was submitted in support of the appeal which demonstrated only limited effects to No.2 within the range that is considered acceptable. I have no reason to dispute this conclusion.
8. Other concerns with respect to living conditions were raised. Although there are concerns that percentage assessments of the loss of light to the garden is unfair, No.2 does have an expansive garden which wraps around the rear garden of the appeal site. The extensions would only directly affect a very small part of the garden, and that effect would not be materially harmful.
9. There is no new relationship of overlooking arising from the development as there was previously a first floor window and such a relationship of overlooking is typical of urban areas. There is no reason the proposal would prevent the ordinary use of the garden of No.2. Given the very specific circumstances of the layout of this site and the surrounding dwellings, I have no reason to think it would set a precedent for other development.
10. I therefore conclude the proposed development would not cause unacceptable harm to the living conditions of neighbouring occupiers with particular regard to light and outlook. It would therefore be in accordance with Waveney Local Plan (March 2019) Policy WLP8.29 which requires development to protect the amenity of neighbouring uses.

Conditions

11. Conditions were suggested in the officer report. I have had regard to these in light of the advice contained within paragraph 57 of the Framework. Although the development has been carried out, I have imposed a condition stipulating the approved plans to define the terms of the permission.
12. Given the limited size of the rear garden and the varying ground levels between the appeal site and the dwelling on Long Marsh Close, I consider it is reasonable and necessary to prevent the use of the flat roof of the extension as part of the

amenity space associated with the property to ensure the privacy of neighbouring occupiers. I have amended the suggested wording to reflect the fact the development has been carried out.

13. Given the variety of materials used on surrounding properties, it is not necessary to prevent changes to the external appearance of the extensions.

Conclusion

14. For the reasons given above the appeal should be allowed.

Jennifer Wallace

INSPECTOR