



Appeal Decision

Site visit made on 18 February 2025

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/X3540/D/24/3355937

6 Holly Road, Kesgrave, Suffolk, IP5 1HX

- 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 J Gibbons against the decision of East Suffolk Council.
 - The application Ref is DC/24/2347/FUL.
 - The development is proposed alterations, single storey rear/side extension plus outbuilding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the appeal was lodged a revised National Planning Policy Framework (the Framework), and further revisions, have been published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal, and that proceeding without seeking further comments from the parties would not be prejudicial to their cases.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of neighbouring residents, with particular reference to outlook.

Reasons

4. The appeal property is a semi-detached dwelling with a flat-roofed rear extension that spans much of the plot width, and is wider than the main section of the dwelling. The property has a large rear garden, and its length has been subdivided by a fence and gate.
5. The proposed rear extension would significantly increase the depth of the building. It would add to the existing extension, and the Council's report states that it would extend past the attached property, 8 Holly Road (No.8), by approximately 12 metres. However, the appellants advise that a 2m high wall could be erected at the shared boundary without the need for express planning permission; or they could plant trees or hedges higher than the proposed extension.
6. As such, the appellants consider that the additional height of the extension above what could be installed at the boundary would be negligible. However, at this depth, I consider this additional height would result in an unduly oppressive and unneighbourly enclosure that would dominate the outlook of No.8. This would include the outlook from the part of its garden directly behind the dwelling. Although

the extension roof would slope away from the shared boundary, due to its ridge height it would materially add to the perceived bulk. The orientation means that the proposal would not cause light loss or overshadowing, but this absence of additional harm would not address the effect of the proposal on outlook.

7. The proposed siting of the outbuilding means that it would not affect the occupants of No.8. However, it would back onto the shallow rear gardens of 36 and 38 Trinity Close (Nos. 36 and 38). The appellants may be able to construct a building in this part of the site without the need for express planning permission, but it could not be of the size and scale proposed so close to a boundary. As such, any 'fallback position' would not be as detrimental to the outlook enjoyed by occupants of Nos 36 and 38 as proposed in this case. For No.36 in particular, the outbuilding would span almost the full width of its rear garden, and would dominate the outlook from that property and its modest amenity space. This effect would not be mitigated by the roof sloping away from the rear boundary, nor the removal of the existing vegetation, which would already have some impact. In this context, I do not share the appellants' view that the proportions of the building are extremely modest.
8. I appreciate the purpose of the proposal, to create space for a growing family to remain at the property in the long term, but in the form proposed this would unacceptably compromise the living conditions of neighbouring residents. I note that no objections were received in response to public consultation on the application, but paragraph 135 of the Framework seeks to create places which promote health and well-being, with a high standard of amenity for existing and future users. As occupants and their opinions change over time, it is appropriate to secure by design reasonable living conditions for all users.
9. The Council's report confirms that large extensions are not unusual in this location, but an assessment that the design is acceptable on the dwelling and proportionate to the plot does not address the effect on outlook. On the information available in this appeal, the presence of other large extensions and outbuildings in the area offers limited support to the site-specific relationship of the proposal to neighbouring properties.
10. I find the proposed side extension, located towards the front of the property, to be acceptable in all regards. However, as this element is part of the wider internal alterations to the property that are linked to the rear extension, it is not physically and functionally independent. As such, I am unable to issue a split decision.
11. I therefore conclude that the proposed rear extension and outbuilding would diminish the outlook for neighbouring residents to a degree that their living conditions would be harmed. This would be contrary to the Framework, and to Policy SCLP11.2 of the Suffolk Coastal Local Plan 2020, which requires regard to matters including outlook and the resulting physical relationship with other properties when considering the impact of development on residential amenity; and which seeks to ensure that development will not cause an unacceptable loss of amenity for existing or future occupiers of development in the vicinity.
12. For the reasons given above the appeal should be dismissed.

H Lock

INSPECTOR