



Appeal Decision

Site visit made on 27 March 2025

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2025

Appeal Ref: APP/X3540/W/24/3349640

32 Jermyns Road, Reydon, Suffolk IP18 6QB

- 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 Ben Habermel-Aldridge against the decision of East Suffolk Council.
 - The application Ref is DC/24/1908/FUL.
 - The development proposed is construction of new single storey dwelling and four new parking spaces on land adjacent to No. 32 Jermyn's Road, Reydon.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An updated version of the National Planning Policy Framework (the Framework) was published in December 2024. Main parties have been given an opportunity to comment on the implications of the updated Framework. Where received, comments have been taken into account.

Main Issues

3. The main issues are the effect of the proposal on:
 - i. the character and appearance of the area; and
 - ii. the living conditions of potential future occupiers, with respect to the provision of outdoor garden space.

Reasons

Character and Appearance

4. The appeal site lies in a predominantly residential area. Dwellings in the surrounding area vary in precise scale and appearance, but mostly consist of detached or semi-detached properties set within spacious plots. They are typically laid out in a linear arrangement, on broadly consistent building lines, facing onto the highway behind front gardens.
5. No. 32 Jermyns Road (no. 32) is currently served by a sizeable plot, but through its backland position, it is one of the few exceptions to the prevailing linear layout of residential development in this area.
6. The proposed dwelling due to its footprint and position tight to the plot boundaries would result in a cramped form of development that would not reflect the spacious character of neighbouring residential development. The proposal's single storey

nature, and siting close to the existing two-storey dwelling on the wider site, also reflect a lack of space and would result in the proposal appearing awkward and as a somewhat contrived form of development.

7. Given the existing context of no. 32, the proposed backland location of the appeal dwelling would not be entirely out of character. Nonetheless, the layout would still not follow the prevailing linear form of surrounding residential development. Additionally, in combination with the scale of the proposed dwelling and its limited plot size, the backland position further adds to a sense that the appeal scheme would be squeezed in amongst the established built form.
8. Regardless of the use of suitable materials, local vernacular design features, and that the proposal would not be highly prominent within the streetscene, it would still not suitably reflect its surroundings.
9. I therefore find the proposal would have a harmful effect on the character and appearance of the area. Accordingly, it would conflict with Policies WLP8.29, and WLP8.33 of the East Suffolk Council - Waveney Local Plan (adopted 2019) (the Local Plan), and Policy RNP10 of the Reydon Neighbourhood Plan (Made 2021) (the Neighbourhood Plan). Together, amongst other matters these policies seek to promote development that is of a high-quality design, which reflects its local context.
10. The Council's first reason for refusal on its decision notice also cited Local Plan Policies WLP1.2 (Settlement Boundaries) and WLP8.34 (Biodiversity and Geodiversity). However, I have not found these to be directly relevant to this main issue.

Living Conditions of Potential Future Occupiers

11. The appellant identifies that the proposal would be served by over 200sqm of amenity space. The garden would wrap around the proposed dwelling. However, much of the garden would be provided to the front of the proposed property, close to the access drive and parking spaces to no. 32, and therefore would not be private in nature.
12. Furthermore, the siting of the dwelling within the plot, as well as parking spaces and related paraphernalia, such as bin and bike stores, would essentially divide the available garden space into several very small, ad hoc and rather impractical areas. The proposal therefore does not reflect well against the far more generous private garden spaces available to neighbouring properties.
13. Furthermore, the main area of private garden space to the rear of the proposed dwelling would remain rather diminutive in size, tightly located between the site's boundaries and the proposed dwelling. It would therefore be a cramped and highly enclosed space and likely rather uninviting for future occupiers to relax or undertake activities within.
14. Consequently, I find that the appeal proposal would not provide suitable living conditions for potential future occupiers with respect of the provision of outdoor garden space. The appeal scheme therefore conflicts with Local Plan Policy WLP8.33. This policy specifically relates to development involving residential garden and urban infilling. Amongst other matters it seeks for proposals to provide

attractive, useable and proportionately sized amenity spaces, as well as ensuring that development proposals provide suitable living conditions.

Other Matters

15. The Council's statement refers to the appeal site's location within the zone of influence for the Benacre to Easton Bavents Special Protection Area (SPA) and Benacre to Easton Bavents Lagoons Special Area of Conservation (SAC), as well as the Minsmere to Walberswick Heaths and Marshes SAC and SPA.
16. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitat Regulations) requires that permission may only be granted after having ascertained that it will not affect the integrity of a European site, including a SPA or SAC.
17. If the appeal were to be allowed, I would therefore need to undertake an 'Appropriate Assessment' in accordance with the Habitat Regulations. However, as I have found the appeal scheme to cause harm to the character and appearance of the area and living conditions of potential future residents it would be contrary to the development plan. Accordingly, unless other material considerations indicate that planning permission should be granted, there is no need for me to consider this matter further.

Planning Balance and Conclusion

18. The appeal scheme conflicts with the development plan for reasons previously outlined.
19. The Council acknowledges that it cannot demonstrate a five-year housing land supply. As such, paragraph 11d) of the Framework is engaged.
20. There would be some socio-economic benefits associated with the delivery and subsequent occupation of a dwelling, in a sustainable location, with access to existing infrastructure, and in an area where housing supply is not currently being met. Still given the proposal involves only a single unit, these benefits would be limited.
21. Compliance with various other development plan policies, for example in respect of flood risk, or the living conditions of neighbouring residents, are neutral matters that I have not found to weigh in favour of the proposal. Meanwhile, as the appeal scheme would cause harm to the character and appearance of the area and living conditions of potential future residents, I have not found the proposal to make efficient use of the land.
22. The above identified benefits for the proposal are countered by the importance that the Framework attaches to design as a key aspect of sustainable development, and its expectation that developments should deliver a high standard of amenity for future users. These are matters to which I give significant weight.
23. Therefore, when assessed against the policies in the Framework taken as a whole, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits. The appeal scheme therefore does not benefit from the presumption in favour of sustainable development.

24. For the reasons outlined above, the proposal conflicts with the development plan when taken as a whole and there are no material considerations, including the provisions of the Framework, that indicate a decision should be made other than in accordance with it. The appeal is therefore dismissed.

Lewis Condé

INSPECTOR