



Appeal Decision

Site visit made on 12 May 2025

by Jonathan Price BA(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/W3520/D/25/3363350

3 Rooks Mead, Thurston, Suffolk IP31 3FZ

- 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 Last against the decision of Mid Suffolk District Council.
 - The application Ref is DC/25/00404.
 - The development proposed is erection of detached double garage.
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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 area.

Reasons

3. Number 3 Rooks Mead is one of nine recently built detached houses served off Barrells Road. It is one of eight of these with back gardens extending up to an area of open land alongside a railway embankment. The appeal property is on the edge of this development and its side boundary abuts Barrells Road after it turns and rises to cross a bridge over the railway. Because of this incline, the public highway is at a higher level than the rear of the back garden of No 3, where the detached double garage is proposed.
4. A section of this open land immediately to the rear of Nos 2 and 3 was permitted as additional back garden space on 12 May 2021¹. Approval was subject to a condition removing permitted development rights, including for garages. This was to enable the Council to control further development in the interests of the amenity of the locality and to safeguard local distinctiveness. A shed and greenhouse placed within the rear part of the back garden at No. 2, had therefore required planning permission. This was allowed on appeal² on 4 October 2024. In that decision, the Inspector had found the visual effect of the development limited due to its small scale and the discreet position adjacent to an outbuilding. It was noted that, while there are fleeting views of the development from Barrells Road, the shed, greenhouse and fence are primarily seen within the context of the neighbouring dwellings and their associated gardens and that the scale, form and material finish of the development accords with the typically domestic character of the area.

¹ Application reference DC/21/01485.

² Appeal reference APP/W3520/D/24/3342065

5. The same requirement for planning permission applies in this case, as the double garage proposed falls within the extended area of back garden. It is therefore subject to relevant development plan policies. In this case, these are those of the Joint Local Plan³ (JLP) and Thurston Neighbourhood Plan⁴ (TNP). None specifically addressing householder developments have been drawn to my attention. However, the proposal is subject to those policies generally applicable to character and appearance.
6. The garage would be set further back towards the railway embankment than the shed and greenhouse and closer than these to the adjacent road. Due to its scale and height, including the pitched roof, the double garage would comprise a much larger and more prominent feature than either the small shed or greenhouse allowed next door. The proportions and facing materials of the garage would be coherent with the architectural character of the new housing. However, design considerations include the layout and disposition of new buildings. Set so far back within the extended garden area, the large domestic garage would be adrift from and appear unrelated to the house at No 3. Including its associated access and hardstanding, it would comprise an incongruous suburban feature at odds with the open, rural character of its surroundings.
7. Such a discordant feature would be harmful to the landscape quality of the countryside in this location, contrary to the design requirements of JLP Policy LP24, which requires new development to respond to and safeguard the existing character and context of a location. In such a position, the proposed double garage would fail to integrate successfully with the existing landscape character, in further conflict with JLP Policy LP17.
8. The Council's refusal reasons refer to JLP Policy SP03, which seeks to secure the sustainable location of new development by focusing this within settlements. By resisting development outside settlement boundaries, this policy also serves to safeguard the intrinsic character of the countryside, as made clear in the supporting text. There would be conflict in this regard, although this policy does not refer explicitly to character and appearance matters. JLP Policy LP03 is also relied upon in the Council's decision. However, this concerns residential extensions and conversions, rather than a detached new build development as proposed in this case.
9. Like JLP Policy SP03, Policy 1 of the TNP provides a spatial strategy to focus new development within the settlement boundary but otherwise relates more to housing than householder applications. However, the proposal would conflict with TNP Policy 9, as the large degree of separation from the house would accentuate rather than minimise the visual impact of the garage in the landscape. Although the building would be on land lower than the adjacent road, with intervening hedging, it would not be fully obscured. There would remain views from along the public highway and other vantage points, including neighbouring properties, such that visual impacts would remain. The fact that a large amount of housing is taking place on sites elsewhere in this village provides no reasonable support for the adverse effects identified. Whilst a relatively minor proposal, the harm caused would not be inconsequential.

³ Babergh and Mid Suffolk Joint Local Plan – Part 1 November 2023.

⁴ Thurston Neighbourhood Development Plan 2018-2036 – adopted October 2019.

Other Matter

10. At my site visit I was made aware that the Council had recently issued a certificate of lawful proposed development or use⁵ for the erection of a double garage in a location nearer to the house at No 3 and where permitted development rights remain. Because this alternative garage would not require planning permission, the same policy restraints do not apply. Moreover, such a permitted development would necessitate a significantly lower ridge height than the building under consideration in this appeal. Compared to this appeal proposal, a double garage provided under permitted development would relate better to the house and be less intrusive in the landscape.

Conclusion

11. The double garage proposed would harm the character and appearance of the area and thus be in conflict with policies LP17, LP24 and TNP9. All these policies remain consistent with the current National Planning Policy Framework. This is by these seeking to achieve well-designed places and recognising the intrinsic character and beauty of the countryside. Therefore, the policy conflict attracts significant weight and is sufficient for me to consider this scheme contrary to the development plan as a whole. Because there are relevant development plan policies, it is not necessary to apply the presumption in favour of sustainable development set out in paragraph 11 of the Framework. Even if it were, the adverse impacts of siting the tall double garage in such an exposed location would significantly and demonstrably outweigh the benefits. Therefore, for the reasons explained, I conclude the appeal be dismissed.

Jonathan Price

INSPECTOR

⁵ DC/25/01407 issued on 9 May 2025.