



---

## Appeal Decision

Site visit made on 4 August 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

---

**Appeal Ref: APP/F3545/W/25/3363283**

**Malandra, Dunstall Green Road, Ousden, Suffolk CB8 8TY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Robin Hunter against West Suffolk Council.
  - The application Ref is DC/24/1702/FUL.
  - The development proposed is to demolish existing bungalow and garage with subsequent build of a two storey dwelling.
- 

### Decision

1. The appeal is dismissed and planning permission to demolish existing bungalow and garage with subsequent build of a two storey dwelling is refused.

### Preliminary Matters

2. During the appeal the West Suffolk Local Plan 2025 (LP) was adopted by the Council. The Council has subsequently provided details of those relevant development plan policies, and the appellant has had an opportunity to comment on them and so has not been prejudiced. I will duly refer to the new policies in the determination of this appeal.
3. During the course of the planning application, the appellant submitted a revised set of plans, which sought to address concerns raised by the Council. The Council, however, advised that such revised plans were not formally accepted. Therefore, in the interests of fairness, this appeal must be determined based on the plans which were accepted by the Council, and which have been subject to consultation. To do otherwise could unacceptably prejudice the interests of other parties. As such, for the avoidance of doubt, I have determined this appeal on the basis of the plans originally submitted with the planning application, ref 1 Rev 2, 2 Rev 2, 3 Rev 2, 4 Rev 2, proposed street scene and proposed 3D view.
4. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council submitted a putative reason for refusal in its evidence, which I have used to formulate the main issue below.

### Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

6. Malandra is a detached bungalow that lies within a spacious plot. The site is situated amongst a row of dwellings which includes other bungalows, as well as one and a half storey dwellings. These dwellings are normally similar in scale and the roofscape is traditional, and it includes pitched roof with gabled ends, front gables and half-hipped roof forms.
7. The proposed development seeks to replace the existing bungalow with a two-storey dwelling with attached side garage. The new dwelling would have a contemporary appearance and would feature an overhung first floor with asymmetrical opposing mono-pitched roofs with gabled ends and a central flat roof section.
8. Due to its varied nature the streetscape is tolerable to new design. However, given its overall width, depth and height, the proposal would be substantial in scale and bulk, with noticeably high eaves.
9. In addition, as the site is spacious, the deep side elevations would be visually exposed from public vantage points. While the southern elevation would have windows and different materials, and the position of the proposed garage would not be dissimilar to that of the existing garage, the dwelling would appear substantial, in stark contrast with the neighbouring properties either side, which are bungalows of a more modest scale. Therefore, the proposal would appear prominent and out of context with its neighbours in terms of height and bulk, thereby creating an unsatisfactory visual relationship with its surroundings.
10. The house at New Dawn, opposite the site, is a one and a half storey property, which the appellant indicates is taller than the proposal. Whereas this may be the case, this property sits on its own, on the opposite side of Dunstall Green Road. Therefore, its context is different to that of the appeal scheme, which adjoins bungalows on both sides.
11. The proposal would have a harmful effect on the character and appearance of the area. It would be contrary to LP Policies LP9 and SP4 insofar as these policies support well designed development that maintains a sense of place and seek to anchor new developments within their immediate and local contexts.

## Other Matters

12. The dwelling would be accessible and would incorporate sustainable design, construction and energy efficiency measures, which would assist in reducing the impact that the property would have on the environment. Additionally, the proposal would deliver ecological enhancements, and I note the neighbour support. However, this would not address the harm arising from the scale of the proposal as I have identified above.
13. Reference is made to a planning permission granted by the Council<sup>1</sup> on a nearby property on Front Street. However, I have very limited details regarding such scheme, and therefore I cannot conclude that it represents a direct parallel to the appeal proposal. Similarly, I have provided been with very limited details regarding the schemes at the new village hall and Sparrows Hedge. As such, I have determined the appeal on its own merits.

---

<sup>1</sup> LPA Ref SE/12/0500/FUL

14. Whilst the existing dwelling may be in a poor state of repair which may require address, I remain to be convinced that the appeal scheme is the only means of doing so. It may be that the land benefits from permitted development rights to construct extensions, including first floor extensions. However, no substantive evidence has been provided of what could be achieved or that the appellant would seek to use these rights and to what extent. As such, this has limited influence on this appeal.
15. The appeal scheme is promoted as a self-build housing proposal. However, as the scheme is a replacement dwelling and would not add the number of housing units, I attach limited weight to the benefits of the self-build.
16. Fox Cottage and The Old Post House, located in the wider street scene, are two Grade II listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of these heritage assets.
17. Insofar as it is relevant for this appeal, Fox Cottage derives its significance, in part, from its thatched roof and dormer windows. The Old Post House derives its significance, in part, from its thatched roof with gabled dormers. The setting of these heritage assets is informed by the agricultural landscape, as well by the nearby dwellings. Given that the proposal seeks to replace an existing dwelling, and noting its relationship with the listed buildings, it would preserve the setting of these heritage assets.

### **Conclusion**

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

*P Terceiro*

INSPECTOR