



Appeal Decision

Site visit made on 11 August 2025

by **G Dring BA (Hons) MA MRTPI MAUDE**

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/W3520/W/25/3364035

34 Ludbrook Close, Needham Market, Suffolk IP6 8EE

- 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 Copping against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/04766.
 - The development proposed is erection of detached bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's second reason for refusal related to insufficient information being provided regarding ecology. The appellant provided information with the appeal relating to this matter and the Council has confirmed it is sufficient. I can find no reason to dispute the Council's approach and therefore ecological matters will not form a main issue in my consideration of this case.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of the occupants of 36 Ludbrook Close with regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises a detached two storey dwelling which fronts onto Hurstlea Road. The property has its rear outlook, garden and parking area facing Ludbrook Close to the south. There is also a side garden serving the host dwelling which is located between 34 and 36 Ludbrook Close.
5. Along Hurstlea Road, the pattern of development varies with long stretches of boundary treatments fronting the road. Where dwellings are visible, other than the host dwelling, they are orientated with the side or rear elevations facing the road. Ludbrook Close to the rear of the appeal site and Steggall Close which is located on the opposite side of Hurstlea Road are of a different character, both having a more close knit pattern of development with dwellings generally fronting onto the road. Along Hurstlea Road, within the vicinity of the appeal site, the prevailing character is dwellings that are two storey and of similar design and materials, mainly semi-detached but with some detached.

6. The proposal is for a single storey detached dwelling that would front onto Hurstlea Road. It would align with No 34 and would respond to the detached form and rectangular footprint of the host dwelling. I do not consider that the proposal would appear overly cramped when viewed from Hurstlea road, given the context of the built form that would be visible in the surroundings, including the development opposite on Steggall Close.
7. However, the single storey nature of the proposal would not respond to the prevailing two storey scale of dwellings along Hurstlea Road. The contrasting scale of the proposal would be clearly evident in public views from Hurstlea Road and Steggall Close and would be seen as an incongruous form of development.
8. When viewing from Ludbrook Close, the set back from the road along with the context in which it would be seen, through a narrow break in a number of tightly arranged dwellings, means that it would not appear cramped or overly prominent. Nevertheless, this would not alter my concerns about the effect on views from Hurstlea Road, in terms of the incongruity of the scale of the development proposed.
9. I witnessed the presence of a bungalow located adjacent to 77 Ludbrook Close during my site visit. However, whilst it is possible to view the roof of that dwelling from Hurstlea Road, it is set back, with a rear garden in the intervening space and a substantial boundary treatment screens it significantly. It is therefore not a prominent feature in the streetscene of Hurstlea Road and does not form part of the prevailing character. To the contrary the appeal proposal would appear as a more dominant feature in the street scene, given the proposed siting and its relationship with Hurstlea Road.
10. I note the comments of the Inspector who dealt with a previous appeal¹ on the same site. Nevertheless, that previous proposal was for a two storey dwelling. As such, the single storey nature of the appeal proposal before me now is different, as is the resultant effect on the character and appearance of the surrounding area.
11. I therefore find that the proposal would result in harm to the character and appearance of the area. It would be contrary to Policy LP24 of the Babergh and Mid Suffolk Joint Local Plan – Part 1 November 2023 (JLP) and Policy NM2 of the Needham Market Neighbourhood Plan November 2021 (NP) which seek, amongst other things, that a development proposal is harmonious with its location and that it contributes to the character of the area by reflecting the pattern of development in its surroundings.

Living conditions

12. The appeal proposal would be located on the side garden of No 34, which is an open area of garden that currently provides separation between the side elevation of No 34 and the rear private garden space of No 36. As a result of the proposal, this separation would be significantly eroded.
13. The proposed dwelling would be situated approximately 1m from the shared boundary with No 36 and built form would extend along the boundary line for a significant distance. I acknowledge that the eaves would sit a limited distance above the height of the existing close boarded boundary fence, but the overall

¹ APP/W3520/W/20/3260781

ridge height proposed would be much higher. Therefore, given the limited separation and the overall height of the dwelling proposed it would be clearly visible above the fence. I find that the limited separation from the boundary, means that there would be no realistic opportunity to soften the appearance of the proposed dwelling through the provision of any meaningful soft landscaping.

14. I recognise that in residential areas, it is a common feature that other dwellings are visible from private garden spaces. Nonetheless, with regard to this pocket of development, dwellings have been laid out so that a sense of spaciousness is provided in the rear garden spaces. In this case, given the limited separation from the boundary and the overall depth of built form and the visibility of the development above the boundary fence, I find that it would result in an imposing presence that would appear overly dominant, resulting in a detrimental effect on the neighbour's outlook from their private garden space.
15. I have considered the comments made by the Inspector in the previous appeal decision² where the proposal was for a two storey dwelling. Whilst I accept that reducing the proposed height would undoubtedly lessen the impact on outlooks, I still find, for the reasons given above, that the appeal proposal before me now would also result in a harmful impact on the outlooks from the garden area of No 36.
16. The proposal would therefore result in harm to the living conditions of the occupants of No 36 with regard to outlook. It would be contrary to Policy LP24 of the JLP which seeks, amongst other things, that development proposals should protect the amenity of occupants.

Other Matters

17. The proposal would result in one new dwelling. Economic benefits would result during the construction phase and after with future occupants supporting local services and facilities. Given the scale of the proposal, these benefits would be limited and would not outweigh the harm I have identified above.
18. The appellant asserts that no existing vegetation would be removed, that sufficient parking would be provided for the proposed and host dwellings and that there would be no unreasonable levels of noise and disturbance as a result of the proposal. Even if I were to agree, a lack of harm or policy compliance in these respects would be a neutral consideration that would weigh neither for nor against the proposal.

Conclusion

19. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

G Dring

INSPECTOR

² APP/W3520/W/20/3260781