



Appeal Decision

Site visit made on 11 November 2025

by Jonathan Price BA(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/D3505/W/25/3372143

6 Little Gulls, Capel St. Mary, Ipswich IP9 2EZ

- 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 Ruby Henry Holdings Limited against the decision of Babergh District Council.
 - The application Ref is DC/25/02004.
 - The development proposed is erection of 2 no. dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 7 November 2025, the Council agreed the Capel St Mary Neighbourhood Development Plan (NDP). The NDP has thus become part of the development plan, along with the Babergh and Mid Suffolk Joint Local Plan (JLP).

Main Issue

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. Capel St Mary is an expanded village, having experienced a significant amount of twentieth century, post-war housing estate development. This proposal falls within one such large estate of housing and would occupy the side garden to an end of terrace dwelling fronting one side of a cul-de-sac within this. The other sides of the site are framed either by communal open space or private garden. These occupy the area between this cul-de-sac and that at Dodmans that approaches in the opposite direction. Although the site has not been specifically identified as being important visually, its open location means any scheme here would be prominent within the public realm.
5. The design of the existing housing reflects a character contemporaneous with the period when it was built, without this being of particular architectural interest. Nevertheless, the surrounding housing forms part of a larger residential estate which is of a coherently planned nature, with dwellings built to a consistent scale, density and design character. The overall layout of housing, with grassed verges, street trees and intervening areas of open space, provides for a good quality built environment.

6. The new semi-detached dwellings are proposed to be built with the same light coloured brickwork that forms a strong unifying feature of the housing within this estate, with their scale and fenestration being broadly consistent with local character. The dwellings would be gable fronted, a feature of some of the surrounding house types. Standing apart from the adjacent terrace, there is no compulsion for this semi-detached pair to follow the same eaves-fronted roof pattern. However, other than the suitable external materials, this scheme does not reflect a detailed consideration of the surrounding architecture overall, in respect of design, form and proportions. Elsewhere, the prevalence of oversailing, lower pitched roofs with chimneys is notable, with the prominent white barge-boarding on these matching the predominant colour of fenestration and doors. Gables, including front facing ones, are generally spaced apart. In this scheme, the stronger vertical emphasis on the juxtaposed gables of the proposed semi-detached houses, with their twinned ridges and intervening valley, would provide a rather contrasting, contemporary style, at odds with the prevailing twentieth century architecture around the site. Along with its somewhat exaggerated degree of stagger and the stark, rather featureless side elevations, this design would be of a discordant and alien character, incompatible with the otherwise quite consistent style of the surrounding residential development, on what is a visually prominent site within this estate.
7. The National Planning Policy Framework (the Framework) promotes good design as a key aspect of sustainable development, through decisions ensuring that proposals add to the overall quality of an area, including by being visually attractive as a result of good architecture and being sympathetic to local character. For the reasons of design incompatibility I have described, this scheme would fall short of these objectives.
8. The proposal would not provide the high-quality, harmonious design necessary to respond to and safeguard its context and that of the existing character, as required under JLP Policy LP24. It would fail to respect and make a significant contribution to the character and appearance of this part of the village, in conflict with NDP Policy CSM4. The conflict with these policies gains significant weight, as these are entirely consistent with those of the Framework and the high quality of design these seek.

Conclusion

9. The principle of residential development on this site would be supported by development plan policy, provided the design was acceptable. Therefore, in terms of a planning balance, all the benefits of the scheme might equally be provided through a more harmonious design. That proposed would be incompatible with the built surroundings and have an adverse effect on the character and appearance of the area. As good design is a cross-cutting expectation, this proposal would be in conflict with the development plan when considered as a whole. Therefore, I conclude the appeal does not succeed.

Jonathan Price

INSPECTOR