



Appeal Decision

Site visit made on 2 December 2025

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/R3515/W/25/3373554

Land to rear of 372 Bramford Road, Ipswich, Suffolk IP1 5AY

- 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 Lummis Developments Ltd against the decision of Ipswich Borough Council.
 - The application Ref is IP/24/00957/FUL.
 - The development proposed is the erection of detached bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of detached bungalow at land to rear of 372 Bramford Road, Ipswich, Suffolk IP1 5AY in accordance with the terms of the application, Ref IP/24/00957/FUL, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Council's Officer report does not conclude harm in relation to the design of the appeal proposal. However, intertwined within its concerns in relation to living conditions, its decision refers to the proposal as an unacceptably cramped form of development and states that it fails to achieve a well-designed form of development. The appellant's case also considers this matter. On this basis, the effect of the proposed development on the character and appearance of the area has been included as a main issue.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring occupiers with particular regard to outlook, privacy and noise and disturbance.

Reasons

Character and appearance

4. Bramford Road is a main route into Ipswich and is predominantly lined on both sides by a mix of detached, semi-detached and terraced dwellings, interspersed with occasional commercial premises. Building ages and styles vary, although most properties are two storey and set behind similarly sized front gardens or driveways, forming a continuous line along the street. Dwellings are typically faced in brick or render with tiled roofs and generally have long, narrow rear gardens, many containing outbuildings. Despite the variety on the street, there is an overall order and consistency in development rhythm including plot sizes and materials.

5. The appeal site is an overgrown parcel of land located to the rear of 372 and 374 Bramford Road (Nos 372 and 374). Planning permission was granted in 2023¹ for a new end-terrace dwelling at No 372. The site is enclosed by close-boarded fencing and shares boundaries with the rear gardens of Nos 372, 374 and 374A, a garage court and the garden of 3 Pitcairn Road². As a consequence, the appeal site does not share the same characteristics of many other rear gardens along Bramford Road. It is not widely appreciable from the street and overall, makes a neutral contribution to the character and appearance of the surrounding area.
6. The backland position of the proposed bungalow would contrast with the prevailing pattern of two-storey dwellings that generally front Bramford Road. Although the Ipswich Urban Characterisation Study advises against the loss of green space, including garden land, the appeal site has limited visual or functional value as green space. Moreover, there is existing backland development adjacent to the site, including 3-4 Pitcairn Road.
7. The proposed bungalow's domestically scaled single-storey form would not be out of context given the architectural variety in the area. While it would be visible from neighbouring properties and larger than typical outbuildings, its pitched-roof design, materials in keeping with surrounding buildings and separation from boundaries would allow it to sit comfortably to the rear of Nos 372 and 374. Although the opportunity for soft planting to the front would be limited, soft landscaping is not a defining characteristic of front gardens in the vicinity, many of which tend to comprise hard-surfaced driveways. Overall, the proposal would suitably respond to the mixed character, appearance and layout of surrounding development.
8. I conclude that the proposed development would have an acceptable effect on the character and appearance of the area. In this regard, it would comply with Policies DM17 of the Ipswich Borough Council Local Plan Core Strategy and Policies Development Plan Document Review (2022) (LP), which require development to protect the setting of existing buildings and the character and appearance of the area.

Living conditions

9. The occupiers of Nos 372, 374 and 374A currently benefit from a relatively open and spacious outlook across their rear gardens. The proposed dwelling would be visible from ground floor level above the boundary fencing and from upper floor windows.
10. The Council contends that the proposal would not meet the minimum privacy distances required between rear-facing elevations, as set out in Policy DM18 of the LP. However, the relevant relationship here would be between the rear elevation of existing dwellings and the front elevation of a proposed bungalow. This policy and the Council's Space and Design Guidelines Supplementary Guidance allow for flexibility where a non-traditional layout can still achieve acceptable living conditions. Having regard to this guidance and the nature of the appeal proposal, I consider such flexibility to be appropriate in this instance.
11. I observed on my site visit that the nearest windows in the outermost single storey sections of the rear walls of No 372 and 374 contain a high-level window and an

¹ Council ref: IP/23/00088/FUL

² One of four dwellings granted planning permission in 2012 - Council ref: IP/12/00761/FUL

obscure glazed window. The next nearest windows are situated further away. While views from upper-floor windows towards the front of the bungalow would be possible, the separation distance would be sufficient to avoid harmful overlooking or loss of privacy. At ground floor level, the boundary fence would restrict views between the proposed bungalow and the ground-floor windows and gardens of Nos 372, 374 and 374A. Although the distance between the front elevation of the proposed bungalow and the shared rear boundary of Nos 372 and 372 would be short, it would nevertheless provide adequate space for parking, a rear access strip and pedestrian access to the proposed front door.

12. The proposed roof form would slope upwards away from the shared boundary with Nos 372 and 374. This would help to ensure that the building would not appear overbearing, and that an open and spacious outlook from the rear of these dwellings would be retained. The side elevation of the bungalow would occupy only a small proportion of the overall length of the rear garden of No 374A and would not therefore over dominate this garden for its users.
13. The Council acknowledges that development at 3-4 Pitcairn Road does not meet minimum privacy distances but considers those properties to have a greater sense of spaciousness when compared to the appeal proposal. However, I disagree. Those properties are two-storey, whereas the appeal proposal is for a single-storey building, resulting in a reduced scale and mass and thereby a different spatial relationship.
14. The proposed parking area would be located close to the shared boundary, but comings and goings associated with a two-bedroom bungalow would be modest. Any noise and activity arising from vehicle manoeuvring, doors closing or general movement would be unlikely to be discernible above the existing baseline of activity in the area, including that associated with the garage court and neighbouring properties.
15. The Council has not identified specific harm to the living conditions of occupiers of any other neighbouring dwellings, and there is no substantive evidence including my observations on site, to lead me to a different conclusion.
16. Overall, the resulting relationship would be acceptable. On this basis, I conclude that the proposed development would not have a harmful effect on the living conditions of neighbouring occupiers with particular regard to outlook, privacy, noise and disturbance. In this regard, the proposal would comply with Policies DM17 and DM18 of the LP, which require small-scale residential development to avoid unacceptable loss of amenity to neighbouring residents and to protect their quality of life.

Other Considerations

Appropriate Assessment

17. The appeal site is located within the zone of influence of the Stour and Orwell Estuaries Special Protection Areas (SPA) / Ramsar site (the protected sites). It has been established that residential development within this zone is likely to cause harm to the protected area through increased recreational disturbance. As the proposal is for an additional dwelling, and when considered in combination with other developments, it would be likely to have a significant effect on the integrity of the protected sites.

18. The Suffolk Coast European Sites Recreational Disturbance Avoidance and Mitigation Strategy Supplementary Planning Document (2019) (RAMS SPD) sets out a tariff-based approach to mitigating this effect. This includes a financial payment towards the Suffolk Coast RAMS.
19. The Conservation of Habitats and Species Regulations 2017, requires that where a project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, the competent authority must before any grant of planning permission undertake an Appropriate Assessment (AA).
20. In this case, the Council has confirmed receipt of a Section 111 Agreement and secured payment in line with the RAMS SPD, which is acceptable to them. Natural England has been consulted as part of this AA and is content that the measures secured would mitigate the adverse effects associated with the proposed development, and would thereby relieve pressure on the protected sites.
21. Following an AA as the competent authority, for the reasons set out I am satisfied that it has been demonstrated that the proposed development would not adversely effect the integrity of European habitat sites, in accordance with the requirements of the RAMS SPD.

Other Matters

22. The Council confirm that it cannot demonstrate the necessary five-year housing land supply. Ordinarily this would warrant the application of paragraph 11(d) of the National Planning Policy Framework (the Framework). However, in this case as I have found no harm and no conflict with the development plan policies, it is not necessary for me to apply this because the appeal scheme is acceptable anyway.
23. The appellants application form indicates that BNG would apply, although their Preliminary Ecology Appraisal (PEA) indicates that the appeal site may be exempt. Even so, the Council consider the proposal to be subject to mandatory biodiversity net gain (BNG) and I have no substantive evidence before me to suggest that this could not be delivered on the appeal site. In this scenario, it would be subject to the statutory pre-commencement BNG condition as set out in Schedule 7A to the Town and Country Planning Act 1990 (as amended). The BNG condition sets out that development cannot begin until the Biodiversity Gain Plan (BGP) has been approved. It would be for the Council to consider the BGP, and whether or not the measures are acceptable and secured.
24. An interested party has raised concerns regarding rights of access and the need to maintain free movement. However, I have not been provided with any documents detailing the nature or scope of such rights. In any event, private rights of access or easements are civil issues that fall outside the scope of the planning system and are not therefore material to the outcome of this appeal.
25. Matters relating to the effect of the proposal on a tree located close to the appeal site, as well as parking, highway safety and flood risk are not in dispute. Furthermore, based on my own observations on site and subject to conditions where necessary, I have no reason to reach a different view in these respects.

Conditions

26. Various conditions have been suggested by the Council in the event that the appeal is allowed. I have considered these against the tests set out in the Framework and

Planning Practice Guidance. In some instances, I have amended the suggested wording to provide precision or clarity, added an additional condition where necessary and omitted another for the reasons explained below.

27. In addition to the standard time condition (1), I have imposed a condition requiring the development to be carried out in accordance with the approved plans (2) in the interests of certainty. A condition relating to parking, manoeuvring, and the provision of bin and cycle storage (3) is necessary in the interests of highway safety and/or air quality. While the Council's Officer report refers to a potential condition requiring bins to be presented at the highway for collection, this was not included on the Council's list of suggested conditions. Even if it had, such a requirement would not be necessary, given that the presentation of bins for collection is an ordinary and expected practice.
28. A condition requiring compliance with minimum energy and maximum water standards to be met prior to first occupation (4) is reasonable and necessary in accordance with Policy DM1 of the LP.
29. The Council has suggested an informative relating to BNG, however as the general biodiversity gain condition is deemed to apply to every planning permission granted, unless specifically exempt, it should not be duplicated by planning conditions. As such, I have not imposed a condition to this effect.
30. A condition relating to electric vehicle charging is also not necessary as this is prescribed within building regulations. Similarly, conditions relating to external materials or ecology enhancements are not necessary as these matters are sufficiently detailed on the approved drawings.

Conclusion

31. For the reasons given above the appeal should be allowed.

H Marriott

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 2024082/01 Rev D, 2024082/02 Rev A and 2024082/03 Rev A.
- 3) The dwelling hereby approved shall not be occupied until the parking, manoeuvring, bin store and secure cycle storage areas within the site shown on drawing no. 2024082/01 Rev D have been provided and thereafter retained, maintained and used for no other purposes.

- 4) The dwelling hereby approved shall be constructed so that a minimum energy/CO2 standard of 19% over Target Emission Rate (TER), as determined by the 2006 Building Regulation Standards and a maximum water standard of 110 litres per person per day (or in the case that the achievement of these standards are demonstrated not to be feasible or viable a lesser standard level as may be agreed in writing with the Local Planning Authority) are met. Prior to first occupation of the dwelling hereby approved, details of compliance with the aforementioned requirements shall be submitted to and approved in writing by the Local Planning Authority.

END OF SCHEDULE