



Appeal Decision

Site visit made on 2 December 2025

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/F3545/W/25/3373176

Lawn House, 16 The Street, Moulton, Suffolk CB8 8RZ

- 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 Hugh Harley against the decision of West Suffolk Council.
 - The application Ref is DC/25/0359/FUL.
 - The development proposed is one self-build three bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the application was determined, the Council has adopted the West Suffolk Local Plan 2024-2041 (July 2025) (hereafter referred to as the 'Local Plan'). The policies in the new Local Plan supersede all of the policies from the Forest Heath and St Edmundsbury Joint Development Management Policies Document (2015) referred to in the Council's reason for refusal. I have determined the appeal on the basis of the up-to-date development plan policies.
3. As the proposal is in a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). This requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main Issues

4. The main issues are:
 - whether the proposal would conserve or enhance the character or appearance of the Moulton Conservation Area, together with the effect on the setting of Lawn House, 16 The Street, a non-designated heritage asset; and,
 - the effect of the proposal on the living conditions of neighbouring occupiers.

Reasons

Effect on heritage assets

5. The appeal site occupies an area to the rear of the plot of Lawn House, 16 The Street (hereafter referred to as 'Lawn House') and its access to The Street. The site is within the Moulton Conservation Area (MCA). This part of MCA is characterised by a large area of open fields providing a core around which buildings of a mixture of ages and styles are arranged. Insofar as it relates to the

appeal, the significance of the MCA derives from the varied patterns of site layout and gaps between buildings. Notably there is some limited development located behind the buildings fronting The Street, such as the group of dwellings adjoining the appeal site at Park Close.

6. The Council's Map of the MCA also identifies important views, including one perspective broadly to the front of Lawn House looking away from the site over to the open fields. However, as the proposal would be sited to the rear of the building, it would not obstruct or otherwise impact on the perspective of this identified view.
7. The entire plot of Lawn House is identified by the Map of the MCA as a 'Building of Local Importance'. The Council considers Lawn House to be a non-designated heritage asset in the terms of the National Planning Policy Framework (the Framework). From the evidence before me, I see no reason to disagree.
8. Lawn House is a 3-bay wide, 2-storey building notable for its attractive ground floor shop window. Given the visual interest of its front elevation, perspectives of the building along The Street are an important part of how the asset is experienced and so form part of its setting. It is a prominent feature of that streetscene and contributes positively to it. In this regard, it also contributes positively to the character and appearance of the MCA and thereby to its significance as a designated heritage asset.
9. The proposal would introduce development to the rear of Lawn House. At the time of my visit, much of the appeal site was occupied by unkempt hardstanding and it was devoid of buildings. As the Council accepts, there are only glimpsed views to the appeal site from The Street. The proposed building would roughly align to the position of neighbouring buildings at Park Close and Mayes Meadow. The proposal would be read in the context of this modern backland development that is already seen in those glimpsed perspectives between buildings at The Street. Therefore, the proposal would be in keeping with the pattern of site layout.
10. A large gap would be retained between the proposal and Lawn House. Given the generous length of the plot, this layout and spacing between the buildings would not be discordant or have an unduly cramped appearance. I note that interested parties have raised that the design and materials would not be in keeping with the MCA. However, that is not an area of dispute between the Council and the appellant, and from the evidence before me including my observations at site visit, I see no reason to disagree given the surrounding context. I conclude that the proposal would conserve the character and appearance of the MCA.
11. The proposal would reduce the lengthy plot which appears to now be associated with Lawn House. However, it is views of the building at The Street which form the setting in which the significance of the building is best experienced and those would not be affected. I therefore do not consider that a harmful effect on the setting of Lawn House would arise. Its significance as a non-designated heritage asset would be entirely preserved.
12. Overall, the proposal would conserve the character and appearance of the MCA, a designated heritage asset, and would not harm the setting of Lawn House, a non-designated heritage asset. The proposal would therefore accord with the requirements of section 72(1) of the Act and Policies LP9, LP36 and LP37 of the Local Plan. In summary, those policies seek to ensure proposals for development

have regard to local context as well as to conserve and enhance heritage assets and their settings.

Living conditions

13. The proposal would be part single, part two storey in height, with its taller element sited to the rear of the plot where it would adjoin the property of 3 Mayes Meadow and its garden. This neighbour garden wraps around the boundary forming an L-shape in relation to the appeal site. At No 3, ground floor rooms are set back by a small distance from the common boundary, whilst along much of the elevation there are large windows looking onto an existing boundary wall.
14. There would be only a small offset between this common boundary and the proposed attached single-storey garage. Although the proposed roof would pitch in direction away from that boundary, it would nonetheless reach its full height only a modest distance from the boundary. The proposal would have a dominant effect in views from ground floor windows and the adjoining garden area between No3 and the common boundary there.
15. Although its precise height is not agreed, I accept that the height of the existing boundary treatment contributes to some existing obstruction to outlook and sense of enclosure within the areas I have referred to. However, the boundary wall I observed here could not reasonably be described as excessive in height. I find this relationship highlights the sensitivity of the relationship between the appeal site and No 3, rather than serving to justify development which would lead to a greater and harmful impact. I therefore find the siting and massing of the proposal would create a harmful sense of enclosure and loss of outlook for occupiers at No3.
16. Given the sun orientation of site-facing windows at No 3, I agree with interested parties that sunlight is likely to be affected at its habitable rooms at ground floor. I also consider that the proposal would likely affect daylight at the windows which adjoin the common boundary. As there is no technical evidence to confirm that retained levels of daylight and sunlight would provide a high standard of amenity for occupiers at No 3, I cannot be satisfied the proposal would avoid harm in this regard.
17. The taller elements of the proposal would be separated by considerable distances from other neighbouring dwellings. I am satisfied that this relationship would preserve the available daylight, sunlight, outlook and sense of openness at neighbouring sites. The proposal would have a neutral effect in these respects. I also do not consider that the residential use of the site and access would result in undue noise and disturbance to neighbouring occupiers.
18. As regards privacy, at proposed first floor level, 'Bed 2' would have a pair of small high-level windows looking out onto the direction of the rear garden of No 3 and, across a much greater distance, the garden at 4 Mayes Meadow. Windows serving 'Bed 3' and the 'Master' bedroom at this level would look over towards the boundary with 4 Park Close and its garden, which is separated away from the proposal by a reasonable distance.
19. There is no evidence before me to indicate any policy requires specific separation distances between dwellings which must be adhered to, as has been suggested by interested parties. I accept that some level of intervisibility between properties is to be expected in a residential setting such as this. I do not consider that more distant

views from first-floor rooms over to the gardens at 4 Mayes Meadow and 4 Park Close would result in harm to privacy in this context. Likewise, whilst windows serving 'Bed 2' would be relatively close to the boundary with No 3, they would be small and positioned at a high-level above the internal floor level, greatly restricting the views afforded in directions otherwise than to the sky. In these ways, the proposal acceptably minimises opportunities to overlook users of any neighbouring gardens.

20. A pair of rooflights in the roofslope facing No3 would be fitted at a high level, restricting views out from within the rooms they serve otherwise than to the sky. An en-suite bathroom is proposed to be obscure-glazed, and a suitably worded condition could be imposed to restrict its opening in order to maintain privacy for neighbour occupiers at No 3. Details of boundary treatments could also be secured by a suitably-worded condition to ensure that acceptable levels of screening would be provided between gardens. Drawing these findings together, I do not consider that the proposal would harm the privacy of neighbouring occupiers, resulting in a neutral effect in this regard.
21. Overall, I have found the proposal would have a significant harmful effect on the living conditions of neighbouring occupiers. This would conflict with the relevant provisions of Policy SP4 of the Local Plan. This policy, in summary, seeks to ensure the amenity of residents and users is protected or enhanced by new development. This is in a similar vein to the Framework, insofar as it requires development to provide a high standard of amenity for existing and future users.

Other Matters

22. The appellant describes the proposal as a self-build development and intends to occupy the development themselves. I recognise the importance the Framework places on meeting the needs of those who wish to commission or build their own homes. However, there is no mechanism before me - such as a completed legal agreement - to secure the proposed dwelling for such purposes. Therefore, I only attribute limited weight to the contribution the scheme would make to meeting the needs of specific groups as well as to the personal circumstances of the appellant.
23. I accept that the proposal would be associated with social and economic benefits through adding to the local supply of housing and future occupiers would add to the vitality of the local community and its services. However, given the very modest scale of the proposal - providing only a single dwelling - those associated benefits would be very limited and would not outweigh the harm I have identified above.
24. The appellant intends to enhance biodiversity as part of the appeal scheme, although there would be no statutory obligation for a self-build scheme to do so. Whilst I accept that this could form a minor benefit, this would not outweigh the harm that I have identified above.
25. There is no dispute that the proposal is within a settlement which has a range of facilities, services and transport connections. The site is also outside of the Green Belt and high-risk fluvial flood zones. The Council has not raised issue with the principle of residential development in this location, nor with proposed vehicular access and parking. There are also no other neighbouring heritage assets considered by the main parties to be affected. Nor would there be any harm to trees. I note that the Parish Council, the Public Health & Housing team,

Environmental Health and Highways teams had no objection subject to conditions and the Ward Councillor did not make comments. Be that as it may, the lack of either harm or objection has been a neutral matter in my consideration of the appeal.

26. Reference has been made by the appellant to precedents said to be set by other planning permissions. Whilst I have noted existing nearby development, no specific planning permissions have been drawn to my attention. As such this has not led me to an alternative conclusion on the main issues.
27. The appellant is unsure whether the Council's officers carried out a site visit and considers there was a lack of proactive engagement to overcome concerns, including at pre-application stage. Whilst I appreciate those concerns, they are not directly relevant to my consideration of this appeal. I have visited the site and made findings based on the evidence before me.

Conclusion

28. Although I have found the proposal would not have a harmful effect on heritage assets, this would not outweigh the significant harm I have identified to the living conditions of neighbouring occupiers.
29. For the reasons above, the proposal would conflict with the development plan and there are no material considerations which indicate a decision should be made otherwise than in accordance with it. I therefore conclude the appeal should be dismissed.

S F Barnes

INSPECTOR