

Development Control Committee **13 May 2020**

Planning Application DC/20/0168/HH – **81D London Road, Brandon**

Date Registered: 29.01.2020

Expiry Date: 25.03.2020

Case Officer: Nicholas Yager

Recommendation: Refuse Application

Parish: Brandon

Ward: Brandon Central

Proposal: Householder Planning Application - (i) single storey front extension and (ii) two storey side front and rear extension

Site: 81D London Road, Brandon, IP27 0EL

Applicant: Mr J Betts

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer recommendation for REFUSAL is contrary with the 'support' offered by Brandon Town Council.

Proposal:

1. Planning permission single storey front extension and (ii) two storey side front and rear extension. This side extension, which projects forward from the front and rear elevations, has a total depth of 16.3 metres and a width of 6.8 metres, and contains a living room plus bedroom and en-suite on the ground floor, and two bedrooms, one with an en-suite, on the first floor.

Application Supporting Material:

2. Application forms and drawings. An amended plan was received that did not change the nature of the proposal but instead corrected inaccuracies in the original drawing.

Site Details:

3. While the address is London Road, the property is in fact located some distance from the main London Road, closer to Towlers Court. The property on site is a single storey dwelling with detached garage to the frontage set otherwise within a spacious plot.
4. The plot backs onto dwellings along The Orchard, and contains a wide range of dwellings including older properties along London Road, 20th century single storey housing along The Orchard, and flats at the end of Towlers Court. The site itself looks out onto a small area of open space along Towlers Court.

Planning History:

| Reference | Proposal | Status | Decision Date |
|--|---------------|-------------------------------|---------------|
| ^{5.} ^{6.} F/87/155 | Double garage | Approve with Conditions | 23.4.1987 |

^{7.}

Consultations:

8. Suffolk County Council Highways - This proposal would not have any severe impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.
9. Suffolk County Council Archaeological Service - We have looked at this proposal. In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

Representations:

10. Brandon Town Council – Support the application with no further elaboration given.
11. No other letters of representation were received.

Policy:

12. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.
13. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local Distinctiveness
 - Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
 - Core Strategy Policy CS5 - Design quality and local distinctiveness

Other Planning Policy:

14. National Planning Policy Framework (2019)
15. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

Officer Comment:

16. The issues to be considered in the determination of the application are:

- Principle of Development
- Impact upon the character and appearance of the host dwelling and the wider area
- Impact upon amenity
- Other matters

Principle of Development

17. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
18. Accordingly, subject to a careful analysis of the detail within this policy, the principle of the property being extended can be considered satisfied.

Impact upon Character

19. DM2 and DM24 permit development in locations such as this providing that the proposal respects the scale and design of the existing dwelling and also that it respects the character and appearance of the wider area. These are the key considerations therefore.
20. The extension is generously scaled and otherwise prominent. It has a maximum depth of over 16 metres and an overall height materially greater than the host dwelling. It also includes a forward facing two storey gable plus an eaves line higher than the host.
21. In this respect strong concern is held by officers that the scale, height and visual prominence of the extension, including its higher ridge and eaves line, make this an intrusive addition that very clearly does not respect the character of the host dwelling, leading to a bulk and poorly articulated addition. In this regard it is concluded that the proposal does not respect the character, scale or design of the host property leading to material conflict with Policy DM24.
22. Furthermore, while it is noted and accepted that the wider area is characterised by a great variety of property types, and as a consequence has a very mixed character, it nevertheless is considered the case that an extension of this excessive scale, in this location, will appear as a bulky, awkward and dominant addition to the property in a readily visible location, leading inevitably to material harm to the character and appearance of the area, proving contrary therefore to the provisions of Policies DM2, DM24 and CS5, as well as the design provisions within the NPPF.

Impact upon Amenity

23. Policy DM24 seeks to ensure that development does not adversely affect the amenities of nearby properties. This supports the general provisions in the NPPF in relation to amenity. Whilst the dwelling is located centrally within a generous plot there are a number of dwellings in close proximity. In particular, to the south east, are the single storey dwellings at 8, 9, and 10 The Orchard. These properties back onto the site, across a rear access footpath and whilst at a slightly higher level benefit only from very modest rear gardens.

24. In this regard strong concern is held that the proposal will be prejudicial to the reasonable amenities, in particular of those nearby properties on The Orchards. Whilst it is accepted that no windows other than the en-suite and landing windows are proposed on the elevation facing these properties, and whilst it is noted these could be conditioned to be obscure glazed and a further condition added to prevent any additional windows, it remains the case that the overall scale of this side extension, including its generous 16 metre depth, plus its height materially greater than the host, added to its proximity and the very modest depth of the off site gardens, means that it will present as an overbearing addition that will be materially harmful to the reasonable amenities of the off site dwellings through visual intrusion and adverse effects upon outlook.
25. On this basis it is considered that the proposal fails to meet the provisions of DM24 in relation to protecting amenity, and also, therefore, that it further fails the requirements of the NPPF that seek to protect the amenities of all existing residents.
26. The generous size of the plot and the greater stand-off distances between the extension and any neighbours means that a conclusion can reasonably be drawn that, other than the strong concerns noted above, the effects otherwise can be considered satisfactory.

Other Matters

27. There are no other matters that would preclude the grant of planning permission, No third party representations have been received and the comments received from Suffolk County Council as both Highway Authority and Archaeological Service do not indicate any matters that would preclude the grant of planning permission.

Conclusion:

28. In conclusion, the proposal is considered harmful to the character of the host dwelling, the character and appearance of the wider area, and contrary to the reasonable amenities of nearby dwellings.

Recommendation:

29. It is recommended that planning permission be **REFUSED** for the following reasons:

1. Policies DM2 and DM24 of the Joint Development Management Policies Document (2015) permit development in locations such as this providing that the proposal respects the scale and design of the existing dwelling and also that it respects the character and appearance of the wider areas.

The extension is generously scaled and prominent. It has a maximum depth of over 16 metres and an overall height materially greater than the host dwelling of 1.2 metres. It also includes a forward facing two storey gable plus an eaves line higher than the host.

The scale, height and visual prominence of the extension, including its higher ridge and eaves line, make this an intrusive addition that very clearly does not respect the character of the host dwelling, leading to a bulky and

poorly articulated addition. In this regard it is concluded that the proposal does not respect the character, scale or design of the host property leading to material conflict with Policy DM24.

Furthermore, whilst the wider area is characterised by a great variety of property types, and as a consequence has a very mixed character, it nevertheless is considered the case that an extension of this excessive scale, in this location, will appear as a bulky, awkward and dominant addition to the property in a readily visible location. Material harm to the character and appearance of the area would result, proving contrary therefore to the provisions of the Joint Development Management Policies Document, Policies DM2 and DM24 and Core Strategy policy CS5, as well as the design provisions within the NPPF (Section 12).

2. Policy DM24 seeks to ensure that development does not adversely affect the amenities of nearby properties. This supports the general provisions in the NPPF in relation to amenity. Whilst the dwelling is located centrally within a generous plot there are a number of dwellings in close proximity. In particular, to the south east, are the single storey dwellings at 8, 9, and 10 The Orchard. These properties back onto the site, across a rear access footpath and whilst at a slightly higher level benefit only from very modest rear gardens.

In this regard the proposal will be prejudicial to the reasonable amenities, in particular of those nearby properties on The Orchards. It is accepted that no windows other than the en-suite and landing windows are proposed on the elevation facing these properties, which could be conditioned to be obscure glazed and limited to those applied for the overall scale of this side extension added to its proximity to and the very modest depth of the neighbouring gardens, means that it will present as an overbearing addition that will be materially harmful to the reasonable amenities of the neighbouring dwellings through visual intrusion and adverse effects upon outlook.

On this basis it is considered that the proposal fails to meet the provisions of DM24 of the Joint Development Management Policies Document 2015 in relation to protecting amenity, and also, therefore, that it further fails the requirements of the NPPF that seek to protect the amenities of all existing residents.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0168/HH](https://www.barnet.gov.uk/DC/20/0168/HH)