

## **Development Control Committee 22 July 2020**

### **Planning Application DC/20/0543/HH – Hemland House, 117A Westley Road, Bury St Edmunds**

**Date Registered:** 24.03.2020      **Expiry Date:** 19.05.2020 – EOT  
29.07.2020

**Case Officer:** Amey Yuill      **Recommendation:** Refuse Application

**Parish:** Bury St Edmunds Town Council      **Ward:** Minden

**Proposal:** Householder Planning Application - (i) single storey rear extension and (ii) first floor front extension over existing garage (iii) re-cladding existing ground floor garage walls

**Site:** Hemland House, 117A Westley Road, Bury St Edmunds

**Applicant:** Goad

#### **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 before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer's recommendation was one of REFUSAL and following a 'call in' from the Minden Ward Member, Councillor Robert Everitt.**

## **Proposal:**

1. Planning permission is sought for a single storey rear extension, a first-floor front extension of the existing garage and cladding to the existing ground floor garage walls.
2. The single storey flat roof rear extension will replace an existing rear conservatory and will measure 5.622 metres in width, 2.134 metres in depth and 3.167 metres in height.
3. The first-floor front extension over the existing garage will measure 5.486 metres in width, 5.283 metres in depth, with a height of 4.979 metres to the eaves and 7.197 metres to the roof ridge.
4. The proposal also includes cladding the existing external garage walls in larch timber boarding to match the proposed extensions.

## **Application Supporting Material:**

5.
  - Application Form
  - Location and Block Plan
  - Existing Floor Plans
  - Existing Elevations (Drawing 102)
  - Existing Elevations (Drawing 103)
  - Proposed Floor Plans
  - Proposed Elevations (Drawing 401)
  - Proposed Elevations (Drawing 402)
  - Design and Access Statement

## **Site Details:**

6. The application site comprises a two-storey detached dwelling house with an attached single storey garage and an area of hard standing to provide off road parking to the front of the property.
7. The property is located within the Bury St Edmunds settlement boundary, slightly set back from Westley Road to the South and partially screened from the road by hedging.
8. The site boasts a generous rear garden with hedging along the Western boundary. To the West of the site there is a public footpath which runs from Westley Road to Gainsborough Field, with views of the host dwelling being seen from the length of the footpath.
9. The property is neither listed nor situated within a Conservation Area.

## **Planning History:**

Reference	Proposal	Status	Decision Date
DC/20/0543/HH	Householder Planning Application - (i) single storey rear extension and (ii) first floor front extension over existing garage (iii) re-cladding existing ground floor garage walls	Pending Decision	
E/85/3591/P	Erection of house and garage with alterations to existing access	Application Granted	24.02.1986

### Consultations:

Not applicable

### Representations:

Town Council – Clerk used delegated powers - No objection based on information received.

Ward Councillor – Comments from Councillor Everitt of Minden Ward were received on 4<sup>th</sup> June 2020 advising:

*'I would ask for this application to be determined by our Development Control Committee, the reason for my "Call In" is that, in my opinion the visual harm would be negligible to this part of Westly Road, as there is already the Garage on the front of this property that was given permission many years ago (precedent has been set) plus the area has changed over the past few years, to the left of the property 3 house away, a small estate was constructed with the demolition of a quite modern house on Westley Road, that has now given way to 5 new large houses within 100yds of number 117a Westley Road, so like many parts of our towns this type of development has changed the look and feel of this residential Road.*

*I would also point out that there has been NO objections from the one neighbour that it might affect.'*

Neighbour Representation – No representations received

### Policy:

10. 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 St Edmundsbury Borough Council.

11. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 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 CS3 - Design quality and local distinctiveness
- Vision Policy BV1 - Presumption in Favour of Sustainable Development

**Other Planning Policy:**

12. National Planning Policy Framework (2019)

13. 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:**

14. The main considerations in the determination of this application are:
- o Principle of development
  - o Impact on neighbouring amenity
  
  - o Design and impact on character

*Principle of development*

15. 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.

16. In the case of this application, the dwelling is located within a curtilage which can accommodate the scale of both extensions without over-development occurring.

*Impact on neighbouring amenity*

17. Policy DM24 states that the development should not adversely affect the residential amenity of occupant of nearby properties. The proposed extensions are considered to have no adverse impact on the neighbouring amenity, by reason of overlooking, overbearing impact or from loss of light.
18. The proposed single storey extension to the rear is considered to have no adverse impact on the neighbouring amenity, by reason of overlooking, overbearing impact or from loss of light. The extension is single storey in height, with a flat roof and will sit behind the existing projection to the rear of the dwelling, so will not result in any overlooking, loss of light or have an overbearing impact on the neighbouring property to the East, No.117 Westley Road. The rear extension will have windows facing West towards No.119 Westley Road, however, there is a significant separation between the host dwelling and No.119 and heavy vegetation, which will provide complete screening of the proposed extension.
19. Again, no material harm is considered to arise to neighbouring amenity as a result of the first-floor front extension, given that the extension will be heavily screen by vegetation to the West of the site, so no views into No.119 will be achieved by the first-floor side window or roof light of the Western flank. Regarding the neighbouring property to the East, No.117; the extension will bring the principle elevation of the host dwelling in line with that No.117, therefore, the proposal will not result in any loss of light or a sense of overbearingness. In addition, the windows on the East elevation of the extension will be opaque glazing to ensure there is no loss of privacy or views into No.117's flank windows.

#### *Design and impact on character*

20. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions to dwellings respect the character, scale and design of the host dwelling and the surrounding area.
21. DM2 paragraph (a) states that proposals for all development should '*recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building...*' and paragraph (b) states that a development should '*maintain or create a sense of place and/or local character...*'
22. DM24 paragraph (a) states that a development should '*respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area*'.
23. Views of the proposed single storey rear extension will not be visible from Westley Road; however, it will be partially visible from the public footpath which runs along the West of the site, towards Gainsborough Field. The rear extension will be partially screened from the public realm by the fence and hedge, which spans the length of the boundary along the footpath. The rear extension is modern in design, however, it is modest in scale and is not considered, therefore, to have an adverse detrimental impact upon the character or appearance of the host dwelling or the surrounding area.
24. In reference to the first-floor front extension over the existing garage; there are concerns regarding the design and scale. Whilst there is a mix in character

along Westley Road and the host dwelling is stepped back from the road and the neighbouring dwelling, it is considered that the first-floor extension will appear overtly bulky and dominant within the street scene and will be extremely visible from Westley Road. The proposed extension projects forward from the front elevation of the host dwelling by 5.283 metres and whilst this will be in line with the neighbour property's principal elevation and the roof height of the addition will be lower than that of the host dwelling's existing roof ridge, due to its scale, depth and bulk, the extension will not appear subservient to the host dwelling, appearing unduly prominent and, as a consequence, harmful to the character of the host dwelling and the wider area.

25. The first-floor extension will be prominent, with views being readily achieved along Westley Road and, at close quarters, from the public footpath to the West of the site, which leads to Gainsborough Field. Given the lack of subservience and the obtrusive and bulky design of the proposed first-floor extension, it is considered to contribute negatively to the existing street scene and is deemed to result in visual harm. Therefore, having a negative impact upon both the appearance and character of the host dwelling and the surrounding area to a materially harmful level. Thus, the application is contrary to the requirements of both policy DM2 and DM24 of the Joint Development Management Plan and the design provisions within the National Planning Policy Framework (2019).

### **Conclusion:**

26. In conclusion, the first-floor front extension element of the proposal is considered harmful to the character of the host dwelling and the character and appearance of the wider area. Therefore, the application as a whole is not compliant with the relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

27. It is recommended that planning permission be **REFUSED** for the following reason:

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 host dwelling and the character and appearance of the wider area.

The first-floor front extension is generously scaled and prominent, projecting forward from the principal elevation of the host dwelling, towards Westley Road. It has a depth of 5.283 metres and an overall height of 7.197 metres.

The scale, height and visual prominence of the first-floor extension makes this an intrusive addition, and one that 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 a material conflict with Policy DM24.

Furthermore, whilst the wider area is of a mixed character, with a variety of property types in both design and scale, it is considered that an extension of this scale and in this location, will appear as a bulky, awkward and dominant addition to the property in a readily visible location, both from

Westley Road and the public footpath towards Gainsborough Field. Material harm to the character and appearance of the area would result, therefore proving contrary to the provisions of the Joint Development Management Policies Document, Policies DM2 and DM24 and Core Strategy policy CS3, as well as the design provisions within the NPPF (Section 12).

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0543/HH](https://www.lincoln.gov.uk/DC/20/0543/HH)