

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

### **Planning Application DC/20/0657/HH – Eleigh Cottage, Lithgo Paddock, Great Barton**

<b>Date Registered:</b>	17.04.2020	<b>Expiry Date:</b>	12.06.2020 – EOT 29.07.2020
<b>Case Officer:</b>	Amey Yuill	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Great Barton	<b>Ward:</b>	The Fornhams and Great Barton
<b>Proposal:</b>	Householder Planning Application - Single storey rear extension to provide annexe		
<b>Site:</b>	Eleigh Cottage, Lithgo Paddock, Great Barton		
<b>Applicant:</b>	Mr and Mrs Beer		

#### **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 Members as the Officer's recommendation is one of APPROVAL, contrary to the objection of Great Barton Parish Council and Councillor Sarah Broughton of The Fornhams and Great Barton Ward.**

**The matter was referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel following a call in from Councillor Broughton and the objection from Great Barton Parish Council.**

**A video of the site has been taken in lieu of a site visit, which will be shown during the Committee presentation.**

## **Proposal:**

1. Planning permission is sought for a single storey rear extension to form an annexe.
2. The single storey extension will measure 9.02 metres in depth, 5.14 metres in width and 2.23 metres in height to the eaves, with an overall height of 4.13 metres to the highest roof point.
3. The annexe will be formed using an existing bedroom and bathroom within the host dwelling at ground floor level along with the whole of the proposed extension.

## **Application Supporting Material:**

4.
  - Application Form
  - Location Plan
  - Existing Site Plan
  - Existing Ground Floor Plan
  - Existing NW and SW Elevations
  - Existing NE Elevation and Section
  - Proposed Site Plan
  - Proposed Ground Floor Plan
  - Proposed NW and SW Elevations
  - Proposed NE Elevation and Section
  - Proposed Visualisation

## **Site Details:**

5. The application site comprises a two-storey detached dwelling house on a generous corner plot, with a large fenced garden to the rear and an open garden to the front. The property fronts Lithgo Paddock to the East and is located within the Great Barton settlement boundary. The site contains a single storey garage and an area of gravelled off road parking behind double gates to the side of the property, with access gained to The Coppice to the North. The property is neither listed nor within a conservation area.
6. The dwelling is located at the front of a small, stone walled housing development, which was approved in the 1980's. The development is made up

of sizeable plots and properties which are of mixed design; with some brick, some rendered and some timber clad finishes.

7. To the North East of Lithgo Paddock, along The Coppice are properties of similar scale and mixed design, some of which have been extended.
8. To the West and South West of the site, again the dwellings are similar in scale and mixed in design. It should be noted that there are two listed buildings which share a boundary or part of a boundary with the application site; East Barn to the West and Old House to the South West, with Old House only sharing a small corner of their boundary with the application site.

### **Planning History:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
DC/20/0657/HH	Householder Planning Application - Single storey rear extension to provide annexe	Pending Decision	
E/88/1378/P	Submission of Details - Erection of five houses with garages and private drive as amended by letter and accompanying revised plan received 24/3/88 and further amended by letter and revised plans received 11/4/88	Application Granted	12.05.1988
E/88/1090/P	Submission of Details - Construction of access and road pattern to serve future residential development as amended by plans received 25th February 1988	Application Granted	05.04.1988
E/86/2938/P	Outline Application - Residential development (36 dwellings) and access as amended by plan received 8th April 1987	Application Granted	06.10.1987

### **Consultations:**

#### 9. Conservation Officer

Comments from the Conservation Officer were received on 20<sup>th</sup> May 2020 stating:

They had assessed the impact on the setting of the neighbouring listed building to the West (East Barn) and considered the proposal would not constitute harm sufficient to justify a refusal of permission due to the extension's single storey

height, the fact that the outbuilding within East Barn's curtilage would screen views of the proposed development, along with the boundary walls, fences and garden planting.

Further comments were received from the Conservation Officer on 26<sup>th</sup> May 2020, following neighbour representations received from The Farmhouse, questioning the Conservation Officers assessment and highlighting that Old House has not been mentioned, to the South West of the application site. The Conservation Officer advised the below:

*'I didn't mention The Old House as I considered it to be sufficiently distanced from the application site, given the scale of the proposal, to be unaffected. The outbuilding to The Old House faces into the garden and that is its principle relationship with the house and its setting. A short section (approximately 4m) of the garden boundary adjoins Eleigh Cottage. This part of the garden is behind the outbuilding and there is a second small garden building in the corner, next to the boundary fence, together with numerous trees within The Old House garden, all of which restrict views towards Eleigh Cottage.*

*The outbuilding to East Barn is in the location of an earlier, longer L-shaped range of outbuildings. It is not clear if it is a historic survival from this range or a new building erected when the barns were converted to residential use in the 1980s, although the latter appears the most likely. A modern outbuilding would not be curtilage listed. In either case, its setting, if it is considered to be curtilage listed, is primarily provided by East Barn and its access and garden towards which it faces.*

*Eleigh Cottage, together with the rest of Lithgo Paddock, now forms part of the wider setting of the listed buildings. The scale of the proposed extension is modest and would be seen in the context of the existing buildings. The high boundary walls and fences between the adjoining gardens would limit views of the extension in its entirety, with the roof and gable being the most visible part of it.*

*Overall, therefore, I do not consider that the extension would harm the settings of the listed buildings. Although I am unable to visit the site myself, I have looked closely at the recent photographs from your site visit to aid my assessment.'*

## **Representations:**

### **10.Parish Council**

Comments were received on 12<sup>th</sup> May 2020 from Great Barton Parish Council objecting to the application due to the proposal not complying fully with policy DM24 under the following points:

- Does not respect the character of the surrounding area
- Will impact upon residential amenity due to light pollution
- Proximity to the boundary and the removal of the existing gap between the houses

Great Barton Parish Council also highlighted that their draft Neighbourhood Plan is currently being reviewed by West Suffolk Council. They would like to bring policy GB12 to our attention and how the proposal does not comply with multiple points within the policy:

- Does not adopt contextually appropriate materials and details
- Does not ensure all components are well related to each other
- Does not ensure that all vehicle parking is provided within the plot

## 11. Ward Councillor

Comments of objection were received from Cllr Broughton of The Fornhams and Great Barton Ward on 27<sup>th</sup> May 2020 for the following reasons:

- Extension is out of character and out of keeping with the surrounding residential area
- Close to listed buildings and curtilage listed barn
- Roof lights will cause light pollution

## 12. Neighbour Representations

Six neighbour representations were received from four neighbours as detailed below.

One representation was received from East Barn on 16<sup>th</sup> May 2020 advising they have no issue with a single storey extension, however, have three concerns:

- Proposed materials impacting surrounding character
- Length of extension being excessive
- Potential of light reflection impacting neighbouring amenity

One representation was received from White Lodge on 18<sup>th</sup> May 2020 objecting to the application due to:

- Increased noise levels
- Added light pollution
- Reduced garden size for host dwelling
- Proposed is close to boundary
- Material to be used are not in keeping with host dwelling or surrounding area
- Could devalue surrounding properties
- Fire risk due to two kitchens under one roof

One representation was received from Coopers Cottage on 18<sup>th</sup> May objecting to the application as:

- Support and endorse Great Barton Parish Council's objection
- Materials to be used out of character with surrounding area and host dwelling

Four representations were received from The Farmhouse. The first on 20<sup>th</sup> May 2020 stating their objection for the following reasons:

- Does not respect the character, scale and design of existing dwelling and surrounding area
- Failure to respect surrounding listed buildings
- Potential for the use of proposed annex changing to a dwelling
- Overdevelopment of dwelling curtilage
- Adverse impact of neighbouring amenity
- Overbearing impact to neighbouring properties
- Non-compliance with Great Barton Neighbourhood Plan
- Non-compliance with Building Regulations
- Inconsistencies between Planning Application and drawings

- Information absent from drawings
- Information not available to members of public

The second representation from The Farmhouse was received on 22<sup>nd</sup> May 2020 and was in response to the comments received from the Conservation Officer on 20<sup>th</sup> May 2020. The representation stated that, in their view the report from the Conservation Officer was unsatisfactory in the following ways:

- Should've taken into account two listed building and outbuildings, not just The Barn
- The site has not been visited
- The Conservation Officer mentioning screening by garden planting, however, trees and shrubs have been removed from the garden

The third representation from The Farmhouse was received on 1<sup>st</sup> June 2020 following the further comments received from the Conservation Officer on 26<sup>th</sup> May 2020. The comments from The Farmhouse were that they believe the outbuilding of East Barn is listed, that the proposed extension will be visible from The Old House and that the trees along the boundary are deciduous, so will only provide screening during late spring/summer.

The fourth representation from The Farmhouse was received on 6<sup>th</sup> July 2020 following a proposed visualisation being received from the agent of the application on 3<sup>rd</sup> July 2020 to illustrate how the proposed materials to be used in the extension will look next to the host dwelling. The comments refer to the visualisation not being accurate in terms of the size of the rear garden and the proximity of the extension to the boundary; both of which they feel has been greatly overrepresented. Officers are satisfied that the visualisation is just that, a guide to how the finished development might look using the materials proposed.

### **Policy:**

13. 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.

14. 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 DM13 Landscape Features
- Policy DM15 Listed Buildings

- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

- Core Strategy Policy CS3 - Design and Local Distinctiveness

### **Other Planning Policy:**

15. National Planning Policy Framework (2019)

16. 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.

17. The Great Barton Neighbourhood Plan has reached 'submission' stage and a consultation is ongoing at the time of writing this report. Due to the stage this is at it is not yet 'adopted' but at a sufficiently advanced stage where some weight can be attached to it. Therefore in the interests of providing clarity, a number of the relevant policies are discussed in the officer comment section of the report, including, Policy GB12 'Development Design Considerations'.

### **Officer Comment:**

14. The main considerations in the determination of this application are:

- o Principle of development
- o Design and impact on character
- o Impact on neighbouring amenity
- o Impact on setting of a listed building
- o Other matters

#### *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, within a settlement boundary, 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 the proposed extension under consideration; the host dwelling is located within a generous curtilage, with a large rear garden which can accommodate the proposal, which is to form a self-contained annexe, without over-development occurring. Therefore, the principle of development is deemed to be acceptable.

17. Comments received from The Farmhouse stated that the proposal will result in overdevelopment of the dwelling curtilage by way of massing effect and by creating a new dwelling. The proposed extension will form a self-contained

annexe, not a dwelling, and therefore should not be judged as such. The site is generous, with a spacious rear garden, an area for off street parking, along with a garage and a large host dwelling. The proposed extension is single storey in height and although it will extend toward the neighbouring boundary, there will be a minimum of 2 metres between the end of the proposed extension and that of the neighbouring outbuilding, so a gap will be retained. Therefore, it has been deemed that the proposal will not result in overdevelopment of the site.

#### *Design and impact on character*

18. Comments and representations received from Great Barton Parish Council, Councillor Broughton and a number of the neighbours raised concerns in regard to the proposed extension not respecting the scale, design and character of the host dwelling and the surrounding area on the basis that the extension will be visible from the public realm, the materials to be used do not match those of the host dwelling or neighbouring properties and that the extension is too long.
19. 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. The proposed extension will use modern materials which are sympathetic to those of the host dwelling and although the extension is a substantial addition in its depth, the plot is of a generous size, therefore it is considered to be respectful in character, scale and design.
20. The extension will be visible from the street scene along The Coppice; however, the scale of the extension is subservient to the host dwelling, with a modest single storey height, which is slightly lower than the existing range which it will be connected to. The extension is modern in design and is to use contemporary materials, which do not try and copy those of the host dwelling, yet, they are considered to be complementary. Therefore, it is considered that the proposal will not have a materially adverse impact on the character of the host dwelling and that of the wider area.
21. Furthermore, Lithgo Paddock and The Coppice comprise a variety of dwellings with mixed design, set generally within spacious plots, with a wide range of materials being used on the exterior; brick, render, boarding and flint are all seen within the vicinity. Therefore, the proposed materials of larch cladding, grey powder coated windows and doors and a zinc roof are considered an acceptable addition to the breadth of materials found in the locality. The materials to be used are detailed on the submitted plans and can therefore be controlled through the use of the standard 'compliance with plans' condition.

#### *Impact on neighbouring amenity*

22. The proposed extension is set in close proximity to the Western boundary of the property; however, the extension is single storey in height and will predominantly be screened by the boundary fence and the neighbouring outbuilding across the boundary. The other neighbouring properties are a significant distance from the proposed extension with fencing and vegetation on the boundaries. Therefore, the proposal is not considered to have a materially adverse impact on neighbouring amenity in terms of loss of light, overlooking or to have an overbearing impact.

23. No significant overbearing or overlooking impact is considered to arise upon the adjacent neighbours at The Farmhouse and East Barn, as these properties are afforded a minimum of 26 metres and 18 metres separation from the closest point of the proposed extension. In addition, there is high fencing which runs along the boundary between the application site and The Farmhouse, which will provide an element of screening from views of the extension and overlooking. In regard to East Barn, there is a fence which divides the boundaries and an outbuilding within East Barn's curtilage, which will significantly screen views of the extension, as well as preventing any overlooking. Therefore, the relationship between both neighbours and the proposed extension is considered acceptable.
24. Light pollution and its impact on neighbouring amenity is a material planning consideration and has been mentioned in the Parish, Ward Member and neighbour comments and representations. However, light pollution is not considered to arise as a result of the roof lights or windows that are proposed to the extension. The site is in a residential area, with many neighbouring properties. Streetlights line The Coppice providing light during the evening hours and a number of the neighbouring dwellings within the area also benefit from existing roof lights. Therefore, the proposal is deemed to be acceptable in regard to the light that may be emitted from extension's windows.
25. White Lodge stated that there would be an increase in noise levels as a result of the proposal being close to the neighbouring boundary. No significant increase in noise levels is expected as a result of the proposed development, apart from during the construction of the extension, which is considered to be reasonable, and certainly nothing at a level that would materially affect the reasonable amenities of nearby dwellings.

#### *Impact of setting of a listed building*

26. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.
27. Policy DM15 states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case there are two Grade II listed buildings within the neighbouring sites to the West and South West of the application site; East Barn and Old House.
28. Paragraph 196 of the National Planning Policy Framework (2019) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
29. The proposal is for the construction of a single storey rear extension to form a self-contained annexe to Leigh Cottage, which is not listed itself. The Conservation Officer provided comments advising that the proposal would not harm the setting of either East Barn or Old House sufficient to justify a refusal of permission, due to the extension being single storey height, the outbuildings within East Barn's curtilage and Old House's curtilage would screen views of

the proposed development, along with the boundary walls, fences and garden planting inside both the application site and the neighbouring site, providing significant screening. The works are therefore considered to cause no negative impact to the setting of the surrounding listed buildings. The Conservation Officer has no objections to the proposals and has no suggested conditions if permission is to be granted.

#### *Other matters*

30. The issue was raised within the neighbour representations about whether the annexe could be converted into a dwelling. This planning application is for the consideration of a single storey rear extension to form an annexe only, not for a proposed dwelling. If the applicant/owner of the dwelling wishes to convert the annexe into a dwelling at a later date, this will require separate application to be submitted and would be assessed on the relevant policies. In addition, the design and siting of the proposed annexe means that it is considered to be capable of being reasonably integrated back into the use of the existing dwelling if required.
31. Concern was raised as to whether the off-road parking would be sufficient for the addition of the proposed annexe. There is no increase in the number of bedrooms to that of the existing dwelling, therefore, no additional parking is required. The garaging and parking area to the rear of the property will be retained and therefore, is considered to be sufficient.
32. Non-compliance with Great Barton Neighbourhood Plan was highlighted by Great Barton Parish Council and in neighbour representations. As set out above, some weight can be attached to this still 'emerging' plan. In any event, officers are nonetheless satisfied that the proposal before us now complies generally with the provisions of those policies. In particular, Policy GB12, which relates to Development Design Considerations, will, if adopted in this form, require development to reflect the local characteristics and circumstances of the site by creating and contributing to a high quality, safe and sustainable environment, which is considered the case with this well designed and respectful proposal. GB12 also requires proposals to reflect garden size characteristics, which it is considered this proposal does noting the generous plot and modest size of the proposal. The application is also considered to be consistent with Policies CS3, DM2 and DM24 of the Districts' Local Plan.
33. Neighbour representations received from The Farmhouse stated that the proposal is non-compliant with Building Regulations. However, as this is not a planning matter, it cannot be considered as part of the application assessment. A separate Building Regulation application will need to be submitted, where this issue can be addressed if necessary.
34. Concern was raised by White Lodge about the increased fire risk as a result of having two kitchens under one roof. Again, this is not a material planning consideration, it is a Building Regulations matter, so cannot be considered when assessing the planning application.
35. Impact on value of surrounding properties as a result of the proposal was mentioned within the comments received from White Lodge, however, this issue is not a material consideration and therefore holds no weight when considering the application.

36.It was highlighted that there was a discrepancy between the proposed materials to be used for the windows and doors within the extension on the application form and the plans; with the application form stating that grey powder coated windows and doors would be used, however, one of the doors on the plan was annotated to say it would be black powder coated. This was addressed with the agent, who advised this was done in error. An amended plan (079-20/P/50 REV A) was received on 3<sup>rd</sup> June 2020 which rectified this issue.

**Conclusion:**

37.In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

**Recommendation:**

38.It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. 001A Time Limit - Detailed
2. 14FP Approved Plans

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0657/HH](https://www.dorsetcouncil.gov.uk/DC/20/0657/HH)