

## **Development Control Committee 3 February 2021**

### **Planning Application DC/20/1816/HH – 6 Nethergate Street, Hopton**

<b>Date registered:</b>	3 November 2020	<b>Expiry date:</b>	29 December 2020 – EOT 5 February 2021
<b>Case officer:</b>	Amey Yuill	<b>Recommendation:</b>	Refuse application
<b>Parish:</b>	Hopton Cum Knettishall	<b>Ward:</b>	Barningham
<b>Proposal:</b>	Householder planning application - a. front porch b. part two storey and part single storey side extension		
<b>Site:</b>	6 Nethergate Street, Hopton		
<b>Applicant:</b>	Mr R Dewsbery		

**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.

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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, contrary to the Parish Council's support of the application.**

## **Proposal:**

1. Planning permission is sought for a part two storey, part single storey side extension, to allow for the installation of a dining room and garage at ground floor level and the addition of a fourth bedroom and family bathroom at first floor level. Permission is also sought for a single storey front porch.
2. The two storey hipped roof element of the side extension will measure 4.720 metres in depth, 5.503 metres in width, 4.437 metres to the eaves at the front, 5.063 metres to the eaves at the back and an overall height of 6.841 metres to the highest roof point. The two storey element will also include a dormer window to the front elevation.
3. The single storey flat roof element of the side extension, which will be positioned to the rear of the two storey extension, will measure 3.624 metres in depth, 4.332 metres in width and 2.828 metres in height.
4. The single storey hipped roof porch to the front of the existing dwelling will measure 1.565 metres in depth, 2.690 metres in width and will measure 2.506 metres in height to the eaves and 3.319 metres in height to the highest roof point.
5. The plans originally submitted comprised a larger scale two storey and single storey side extension. Following communications with the agent, an amended scheme was submitted, as detailed above, altering the overall scale of the side extension, along with the roof form. The original plans have been superseded.

## **Application supporting material:**

6.
  - Application Form
  - Existing Location and Site Plan, Floor Plans and Elevations (Drawing No. 119-01)
  - Proposed Floor Plans (Drawing No. 119-02 REV A)
  - Proposed Elevations, Sections and Site Plan (Drawing No. 119-03 REV C)

## **Site details:**

7. The application site comprises a two-storey semi-detached dwelling house on a generous plot, which is part of a cluster of matching or similar pairs in the immediate area.
8. The property is located within the Hopton settlement boundary, set back from the main road, with Nethergate Street being located to the South. The site backs on to open countryside, which can be viewed via the spacious gaps

between itself and the neighbouring dwelling, as is echoed by the other pairs in this section of Nethergate Street.

9. The site has a generous garden to the rear and a more modest, yet still large, garden to the front, with off road parking to the side of the property.

10. The property is neither listed nor situated within a Conservation Area.

### **Planning history:**

No relevant planning history.

### **Consultations:**

**Suffolk County Council Highways Authority** – No objection. Condition recommended regarding implementation in accordance with plans and retention of parking spaces thereafter.

**Public Health and Housing** – No objection subject to construction times restriction condition.

### **Representations:**

**Parish Council** – Hopton cum Knettishall Parish Council support the application.

**Ward Councillor** – No written comments received.

**Neighbour Representation** – No neighbour representations received.

### **Policy:**

11. 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.

12. 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
- Policy DM46 Parking Standards

- Core Strategy Policy CS3 - Design quality and local distinctiveness

### **Other planning policy:**

13. National Planning Policy Framework (NPPF)

14. 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:**

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

- Principle of development
- Design and impact on character
- Impact on neighbouring amenity
- Other matters

### **Principle of development**

16. 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.

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

### **Design and impact on character**

18. 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.

19. Policy DM2 states that proposals for all development should (i) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and (ii) maintain or create a sense of place and/or local character.

20. Policy DM24 states that development will be permitted provided that the proposal (i) respects the character, scale and design of the existing house and the character and appearance of the immediate and surrounding area.
21. Views of the proposed front porch will be visible from the public realm of Nethergate Street and will be viewed as part of the wider street scene. The front porch is modest in scale, with a hipped style roof to match the existing dwelling and the proposed materials to be used in its construction are to match those of the existing dwelling, with red/orange brickwork and dark red/orange tiles to the roof. Therefore, the proposed front porch is not considered to have an adverse detrimental impact upon the character or appearance of the host dwelling or the surrounding area.
22. In reference to the two storey and single storey side extension; the proposed materials to be used in its construction are the same as those of the proposed front porch, which are to match those of the existing dwelling, with red/orange brickwork and dark red/orange tiles to the roof. Therefore, the materials are deemed to be acceptable and sympathetic to the existing dwelling. However, there are strong concerns regarding the design and scale of the side extension.
23. Whilst there is a mix in character along Nethergate Street, the host dwelling sits within a row of two uniform pairs and opposite another pair of matching dwellings in a similar design, and which therefore have a simple but pleasing rhythm. This cluster of semi-detached dwellings has a distinctive character, with generous and otherwise regular gaps between each of the similarly spaced pairs. These gaps help provide views into open countryside from the public realm of Nethergate Street further adding positively to the character and appearance of the immediate area as a result of the consistent position, design and spacing of dwellings.
24. The proposal as it stands has been amended, following concerns raised by officers. The initial design for the two storey and single storey side extension was considered to be out of character with the surrounding area due to its dominating scale, lack of subservience, and the closing of the gap between the host dwelling and the neighbouring property, blocking the existing views into the open countryside to the rear of the dwelling. Following discussions with the agent for the application, along with several informal submissions of amended plans, a formal submission of an amended scheme was submitted on 07 December 2020. The amended design shows a side extension which has been reduced in width by 0.338 metres, reduced in height by 0.406 metres and has been pulled back from the principal elevation to provide increased subservience. In addition, the roof form has been amended to a hipped roof, to match that of the existing dwelling and the immediate neighbouring properties.
25. However, it is considered by officers that this amended design has still not overcome the concerns raised and that, therefore, the proposal remains unacceptable. The side extension will still appear large, excessively wide in proportion to its host, overtly bulky and poorly articulated in the street scene, and as a result, in particular with its expansive width and excessively scaled frontage, it is considered that it will result in the material erosion of the important gap between houses, which as noted above, adds so positively to the character of the existing area. In turn, and respecting that all applications should be considered on their own merits, but also that similar applications

should be dealt with consistently, approval runs the risk of introducing, in time, a terrace like design, as other houses in the immediate area seek to extend in a similar manner, and which would materially and harmfully interrupt the simple and pleasing rhythm of the existing row of houses and otherwise uninterrupted views of the countryside.

26. Therefore, 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, CS3 of the St Edmundsbury Core Strategy and the design provisions within the National Planning Policy Framework (2019).

### **Impact on neighbouring amenity**

27. Policy DM24 states that the development should not adversely affect the residential amenity of occupiers of nearby properties. The proposed side extension and front porch are considered to have no adverse impact on the neighbouring amenity, by reason of overlooking, overbearing impact or from loss of light.

28. The neighbouring property to the East of the application site, No.4 Nethergate Street, is potentially the most sensitive to the proposed development, with the side extension sitting only 1.280 metres from the neighbouring boundary. However, the impact is considered to be acceptable, with the neighbouring property having a wide gap between its flank wall and the boundary line of approximately 5.3 metres, ensuring there is no loss of light or an overbearing sense as a result of the proposal. In addition, the proposed side extension has no windows to its Eastern elevation and both the application site and neighbouring properties boast large gardens to the rear. Therefore, increased overlooking or loss of privacy from the rear facing windows is not considered to be sufficient enough to result in material harm to neighbouring amenity.

29. Regarding the neighbouring property to the West, No.8 Nethergate Street, no harm is considered to arise from the proposed development. The two-storey element of the proposed extension will sit behind the existing dwelling, as will the single storey element of the side extension. Therefore, it is considered that the development will have no detrimental impact on the neighbouring amenity by reason of overlooking, overbearing impact or from loss of light.

30. The proposed porch to the front of the dwelling is positioned centrally, is single storey in height, modest in depth and has no proposed windows in either of the side elevations, therefore, is also deemed to be acceptable in terms of its impact on neighbouring amenity to both No.4 and No.8 Nethergate Street.

### **Other matters**

31. Comments were received from Suffolk County Council Highways Authority during both consultations, in which no amendments to the proposal were sought and no objections were stated, deeming the proposal as acceptable from their perspective. The Highway Authority did make a recommendation that a condition should be added to the decision, if permission is granted,

regarding the implementation of the develop being carried out in accordance with plans and the retention of parking spaces thereafter. This is to ensure that sufficient space for the on-site parking and manoeuvring of vehicles is provided and maintained where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway; this condition is considered to be reasonable.

32. Additionally, comments were received from Public Health and Housing regarding both versions of the application, in which no amendments to the proposal were sought and no objections were stated, subject to a condition whereby the hours of operation for the construction of the development are controlled. Officers have deemed this condition acceptable if permission is to be granted.

### **Conclusion:**

33. In conclusion, the two storey and single storey side extension element of the proposal is considered harmful to the character of the existing 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:**

34. 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 proposed side extension is generously scaled and prominent, projecting from the side elevation of the host dwelling, with a width of 5.512 metres, taking the overall width of the dwelling to 13.312 metres. This part of Nethergate Street currently benefits from the simple rhythm and pleasing character created by the existing houses, sited consistently in matching pairs, and with ready views between dwellings of the countryside, adding to the semi-rural nature of the locality.

The scale, particularly its width and excessively scaled frontage, as well as the visual prominence of the side extension, makes this an intrusive and bulky addition and one which does not respect the character of the host dwelling or the wider area. In this regard it is concluded that the proposal does not respect the character, scale or design of the host property, introducing a bulky, prominent and excessively scaled terrace like design, leading to a material conflict with Policies DM2 and DM24. Furthermore, whilst the wider area is of a mixed character, with a variety of property types in both design and scale, the host dwelling sits within a row of two uniform pairs and opposite another pair of matching dwellings in a similar design, and which therefore have a simple but pleasing rhythm. This cluster of semi-detached dwellings has a distinctive character, with generous and otherwise regular gaps between each of the similarly spaced pairs, which helps provide views into open countryside from the public realm of Nethergate Street and further adding positively to the character

and appearance of the immediate area as a result of the consistent position, design and spacing of dwellings.

In this context it is considered that an extension of this scale, in this location, will appear as a dominant addition to the property in a readily visible location, which will result in the blocking of views to the open countryside from the public realm of Nethergate Street. 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/20/1816/HH](https://www.barnet.gov.uk/DC/20/1816/HH)