

Development Control Committee 6 July 2022

Planning Application DC/22/0021/HH – The Croft, Mildenhall Road, Barton Mills

Date registered: 18 January 2022 **Expiry date:** 13 July 2022

Case officer: Savannah Cobbold **Recommendation:** Refuse application

Parish: Barton Mills **Ward:** Manor

Proposal: Householder planning application - a. two storey front extension; b. two storey side and rear extension; c. conversion and extension of existing garage to habitable space; d. single storey side extension to existing garage (following demolition of existing flat roofed garage); e. roof alterations to existing link extension; f. two bay cartlodge with room above

Site: The Croft, Mildenhall Road, Barton Mills

Applicant: Mr and Mrs Marsh

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:

The application is presented before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Ward Member (Manor) Councillor Brian Harvey. Barton Mills Parish Council subsequently confirmed their support for the proposal.

A site visit is scheduled for Monday 4 July 2022, and the application is recommended for refusal.

Proposal:

1. The property is positioned side on to the site frontage with its main front elevation facing parallel to the access, and with its side elevation addressing the road.
2. Planning permission is sought for a number of additions and alterations to the property. These include –
 - A two storey front extension to the existing garage
 - A ground floor front extension
 - A ground floor side extension to the existing garage
 - A two storey side extension
 - A two storey rear extension
 - A detached one and a half storey garage with first floor space

Site details:

3. The Croft is located within countryside, near to but otherwise outside of the settlement boundary of Barton Mills. The dwelling is positioned centrally within a large plot, positioned behind the existing dwellings fronting Mildenhall Road. Access is achieved along a track (which also forms a public right of way) from the corner of Station Road and Mildenhall Road.
4. The site contains a residential property, brick built at two storey scale, with attached single storey garage to the side. The property has previously benefitted from extensions in the form of a two storey side extension, which due to the orientation of the property within the site is otherwise readily visible in views into the site from the access track.
5. The site is surrounded by hedging, but is otherwise readily visible above this, and from views through the access way directly of the adjacent public right of way.
6. The site is some distance from the Barton Mills Conservation Area, with intervening buildings. There are no listed buildings adjacent or close to the site.

Consultations:

7. 8 February 2022 - Barton Mills Parish Council – No objection to the proposed development.
8. 8 June 2022 – Barton Mills Parish Council (further unsolicited comments) - The Parish Council are very supportive of the plans and despite planning rules in regards to extending an extension, the council are in favour on the

plans and believe the proposal is appropriate and proportional when looking at other properties in the close surrounding area.

Representations:

9. No letters of representation have been 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 Forest Heath Council.

11. 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 DM5 Development in the Countryside

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:

12. National Planning Policy Framework (NPPF)

13. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of Development

- Design and Appearance, and Impacts upon the host dwelling and character of the area.
- Impacts upon Amenity
- 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 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.
16. It is also a requirement that development proposals must not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
17. For dwellings that are located within the countryside, this policy is notably more restrictive in the sense that it goes on to state that proposals for the alteration or extension of an existing dwelling in the countryside outside of towns and villages with settlement boundaries will also be required to demonstrate that they are subordinate in scale and proportion to the original dwelling.
18. Accordingly, while it can be accepted that the principle of extending any dwelling can be supported, the matters of detail are important, in fact integral, to the acceptability or not of proposals to extend dwellings in the countryside.

Design and Appearance

19. It is important, by way of context, and before considering the design related impacts arising from this scheme, to note the provisions of the latest revisions to the NPPF, in particular Chapter 12 relating to the achievement of well designed places. Good design is a key aspect of sustainable development and to emphasise this, the NPPF states, quite bluntly and unambiguously at paragraph 134, that 'development that is not well designed should be refused, especially where it fails to reflect local design policies'.
20. In this case, DM24 is considered to be the Authority's 'local design policy', setting out as it does the considerations and provisions that apply in relation to the extension of dwellings within the countryside. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests.
21. These relate, common with extensions proposed to dwellings within towns and villages with settlement boundaries, to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties.

22. In this regard, officers are satisfied that the development proposed will not lead to any overdevelopment of the otherwise generous curtilage.
23. DM24 also introduces a further key test, which only applies in relation to the extension of dwellings within countryside locations. This site is within the countryside. This additional test requires it to be demonstrated that extensions to dwellings in the countryside are subordinate in scale and proportion to the original dwelling. Key to assessing this policy is an analysis of the physical parameters of the dwelling, noting particularly that this assessment is made against the dwelling as originally built (and so excluding any already built extensions), not against the dwelling as might currently exist at the time of any application.
24. This is a key nuance of the policy and one that introduces a therefore much stricter requirement against which extensions in the countryside must be assessed. This policy requirement is in the interests of protecting the character and appearance of the countryside, for example against the potentially harmful urbanising effects arising from extensions otherwise subsuming or dominating the architectural modesty or integrity of an original structure, to the detriment of the character and appearance of both that original building and the wider area.
25. In this case, it is noted the dwelling in question has been subject to previous applications for extensions, including the two storey rear element as approved in 1980. It is further evidenced that the property has been subject to such later addition due to the slight differentiation in brick work evident clearly on the side elevation. Officers must therefore assess the extensions proposed in relation to the original dwelling, which is the dwelling as first built, excluding any later additions. As advised, this is an important and relevant nuance of the requirement of Policy DM24 in countryside locations.
26. As noted above, the principle of extending the property is considered acceptable, however the proposal provided, in the opinion of officers, and in relation to the additional two storey rear element and the two storey side element facing the road, do not prove subordinate in either scale or proportion to the original dwelling, particularly on the front elevation as this completely masks the original property, conflicting with the requirements of DM24. The proposed two storey rear extension in particular would inelegantly elongate the dwelling in a way that would not appear subordinate to the original property leading to a proposal that is out of proportion with its host.
27. This would result in these extensions, when considered in addition to the existing already deep two storey rear extension that these elements sit behind and on, having a competing and overpowering impact when considered relative to the massing of the existing property. The harmful and discordant presence of the deep rear extension and the prominent two storey side element on the existing already generous rear extension, would significantly and materially increase the mass and bulk of the property in a way that would be harmful to its original form. They would also be readily visible from the public right of way and this would further materially harm the character and appearance of the area through the urbanising effects arising.

28. There are dwellings nearby that are larger than The Croft, for example along Mildenhall Road, but this does not justify the elongated and overly massive appearance these two specific extensions would have.
29. It was recommended that this prominent elevation facing the public right of way be reconsidered and amended, along with reducing the scale of the projecting balcony element on the proposed side elevation, where the front door currently sits. However despite requesting such, no amendments have been provided by the applicant.
30. The property is also subject to a number of further proposed additions. Noting the modest scale and discrete siting of such, generally, and noting the size of the plot, these are generally considered to be unobjectionable, otherwise satisfying the provisions of DM24 in this regard.
31. The proposal also includes a detached cart lodge and in this regard officers have concerns regarding the positioning of such, and its proximity to the site boundary and the likelihood of it being visible therefore in longer views, noting its context upon the open countryside. The use, as justified by the applicant, is considered acceptable, however officers are of the opinion that this should be shifted away from the boundary of the site to minimise the impact on the countryside and that otherwise it will prove harmful to the rural character and appearance of the property contrary to the provisions of DM2 and DM24.
32. In conclusion, the two-storey rear and front extensions would harm the character and appearance of the host dwelling and wider area placing it at odds with Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS5 of the Forest Heath Core Strategy 2010.
33. These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance with Para. 134 of the NPPF should therefore be refused.

Impacts Upon Amenity

34. Given the size of the plot, the scale of the extensions, and the remaining distance to off site properties, officers are also satisfied that the proposal will have an acceptable impact upon the amenities of nearby dwellings, which in this case are the existing dwellings adjoining the site along Mildenhall Road, which are generously separated from the development proposed, so as not to cause any material harm.

Conclusion:

35. In conclusion, the principle and detail of the development is not considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. In order to protect the character and appearance of rural, often isolated or individual dwellings, and in order also to protect the countryside from the urbanising effects of significant extensions, Policy DM24 introduces a number of key policy tests. These relate to a requirement to respect the character scale and design of the existing dwelling and the wider area, to not result in any over development of the curtilage, and to also not adversely affect the amenities of any nearby properties. DM24 also requires extensions to dwellings in the countryside to be subordinate in scale and proportion to the original dwelling.

The additional two storey rear element and the two storey side element facing the road do not prove subordinate in either scale or proportion to the original dwelling, particularly on the front elevation as this completely masks the original property, conflicting with the requirements of DM24. The proposed two storey rear extension in particular would inelegantly elongate the dwelling in a way that would not appear subordinate to the host property leading to a proposal that is out of proportion with the host property.

This would result in these extensions, when considered in addition to the existing already deep two storey rear extension that these elements sit behind, having a competing and overpowering impact when considered relative to the massing of the existing property. The harmful and discordant presence of the deep rear extension and the prominent two storey side element on the existing already generous rear extension, would significantly and materially increase the mass and bulk of the property in a way that would be harmful to its original form. They would also be readily visible from the public right of way and this would further materially harm the character and appearance of the area through the urbanising effects arising.

The proposal also includes a detached cart lodge which due to its proximity to the site boundary and the likelihood of it being visible therefore in longer views is considered to be harmful to the rural character and appearance of the property contrary to the provisions of DM2 and DM24.

In conclusion, the two-storey rear and front extensions would harm the character and appearance of the host dwelling and wider area placing it at odds with Policies DM2 and DM24 of the Joint Development Management Policies Document 2015 (DMP) and Policy CS5 of the Forest Heath Core Strategy 2010.

These policies seek to secure high quality design that recognises key features of a building and, in the case of extensions in the countryside, respect the character, scale and design of existing dwellings and are demonstrably subordinate to the original dwelling. These policies are consistent with Paragraph 134 of the National Planning Policy Framework. Noting this, and noting the conclusions drawn above, this proposal is not considered to be 'well designed' in this specific context and in accordance

with Para. 134 of the NPPF should therefore be refused.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0021/HH](#)