

Development Control Committee 2 August 2023

Planning Application DC/23/0811/HH – 1 Gilstrap Road, Fornham St Martin

Date registered:	24 May 2023	Expiry date:	20 July 2023 (EOT 04 August 2023)
Case officer:	Charlotte Russell	Recommendation:	Refuse application
Parish:	Fornham St. Martin cum St. Genevieve	Ward:	The Fornhams and Great Barton
Proposal:	Householder planning application - single storey side extension		
Site:	1 Gilstrap Road, Fornham St Martin		
Applicant:	Mr & Mrs Cooke		

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 Development Control Committee following referral from Delegation Panel on 18 July 2023.

The application is recommended for refusal and the Parish Council raise no objection.

Proposal:

1. The application seeks planning permission for a single storey side extension to allow for an additional living area. The proposed extension will extend beyond the existing single storey side extension which was permitted in 1988. The proposed extension will measure approx. 4m in width, 5.2m in depth, an eaves height of 2.2m and a ridge height of 3.6m. The proposed materials are brickwork and concrete roof tiles to match the existing dwelling.

Site details:

2. The application site consists of a two storey semi-detached dwelling, with a single storey side extension permitted in 1988. It is situated within the Bury St Edmunds Barton Hill settlement boundary. The dwelling is located on the corner of Gilstrap Road and Russell Baron Road.
3. The application site is not in a Conservation Area, is not listed and is not located close or adjacent to any Listed Buildings or protected trees.

Planning history:

4.

Reference	Proposal	Status	Decision date
E/88/2801/P	Erection of single storey side extension	Application Granted	3 October 1988

Consultations:

5. Parish Council:

Fornham St Martin cum St Genevieve Parish Council offers No Objections to application DC/23/0811/HH.

6. Ward Councillor:

No comments received.

Representations:

7. No public representations were received.

Policy:

8. 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.

9. 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 and Local Distinctiveness

Other planning policy:

10. National Planning Policy Framework (NPPF)

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:

11. The main considerations in the determination of this application are:
- i. Principle of Development
 - ii. Impacts on Character and Appearance
 - iii. Impacts on Residential Amenity

Principle of Development

12. In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014).

National planning policies set out in the NPPF 2021 are also a key material consideration.

13. Paragraph 11 of the NPPF (2021) (as well as policy DM1) states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.
14. Policy DM24 states that planning permission for 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.
15. The dwelling is located within a curtilage which is able to accommodate the side extension, without overdevelopment occurring, and given the location and scale of the proposal, no adverse impact on neighbouring amenity is anticipated.
16. Therefore, the principle of development is considered to be acceptable. Matters relating to design and impact on the character of the building and surrounding area will be considered below.

Impacts on character and appearance

17. Policies DM2, DM24 and CS3 all seek to ensure that proposals respect the character, scale and design of the host dwelling and the surrounding area. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based.
18. This is a prominent corner location and so any extension constructed to the side will be visually prominent. Russell Baron Road is notably characterised with soft landscaping at the junction with other roads. There is already an existing side extension which will be further extended towards the road. This results in a proposal that would be visually prominent and out of character with the surrounding area. The proposal also includes cutting back the existing conifer hedge from the corner and installing a new close board timber fence, which is also considered harmful to the character of the street scene and a stark contrast to the existing soft landscaping. Concern was also raised in relation to the choice of white painted render to the extension, as there are no examples nearby.
19. Negotiation with the agent has resulted in amended plans being received whereby the render has been removed and replaced with existing brickwork to match the existing dwelling. However, the change in materials does not overcome the concerns raised with regard to the impact on the character of the surrounding area.
20. In light of this and assessing the application against policy DM2, the side extension design does not relate well to the features and character of the

surrounding area. The design of the extension, adding onto the existing extension granted in 1988, is considered to result in an unbalanced built form.

21. It is for these reasons that the side extension does not accord with policy DM2 and DM24 and consequently cannot be supported.

Impacts on Residential Amenity

22. Policy DM2 states that developments will not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity.
23. Furthermore, policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
24. Whilst the height and proximity of the extension is out of character for the surrounding area, the height and proximity of the extension to neighbours is subordinate with no adverse impacts on residential amenity arising. It is not considered that the proposed extension will result in the loss of privacy, overshadowing or appear overbearing.

Conclusion:

25. In conclusion, for the reasons set out above, the development is considered to be unacceptable and fails to comply with the relevant local development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. Russell Baron Road which the application site adjoins is notably characterised with soft landscaping at the junction with other roads. The proposed extension is positioned to the north side of the dwelling and measures approximately 4 metres in width from the existing extension to the original dwelling and 5.2 metres in depth. Given the context of the site on a prominent corner plot and the position of the proposed extension, it is considered that there would be prominent views of the proposal from the immediate and surrounding area and as a result the proposed extension would have an adverse impact on the character and appearance of the immediate and surrounding area. The proposal also presents as an overly wide addition to the host dwelling, resulting in an unbalanced built form that fails to respect the surrounding area. The proposal also includes cutting back the existing conifer hedge from the corner and installing a new close board timber fence, which is also considered harmful to the character of the street scene and a stark contrast to the existing soft landscaping.

The development is therefore considered to result in an adverse impact on the character and appearance of the immediate and surrounding

area and would be contrary to policies DM2 and DM24, plus the provisions of Core Strategy policy CS3 and the design considerations of the NPPF, notably para. 130.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/0811/HH](#)