

Development Control Committee

5 June 2024

Planning Application DC/24/0338/HH – 1 Broadway, Pakenham

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|-------------------------|--|------------------------|-----------------------------------|
| Date registered: | 4 March 2024 | Expiry date: | 1 May 2024 (EOT until 07.06.2024) |
| Case officer: | Georgina Bolton | Recommendation: | Refuse application |
| Parish: | Pakenham | Ward: | Pakenham & Troston |
| Proposal: | Householder planning application - two storey front and side extension | | |
| Site: | 1 Broadway, Pakenham | | |
| Applicant: | Mr James Reinman | | |

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 has been referred to the Development Control Committee following the consideration by the Delegation Panel meeting on 7 May 2024. Pakenham Parish Council have no objection to the proposal, which is contrary to the recommendation of REFUSAL.

The original proposal was described as “two-storey side extension” however, as the southeast elevation is considered to be the principal elevation, the proposal was amended to “two-storey front and side extension”.

Following comments made by Officers, amendments have been made to the application: the amended red line plan includes both accesses to Mill Road and Broadway, and the front porch has been removed from the existing plans and elevations as it was drawn in error.

A site visit is scheduled to take place Monday 3 June.

Proposal:

1. The application seeks planning permission for a two-storey front and side extension to the existing dwelling with parking area to the northeast of the site. The proposal includes a single storey flat roof element to the southeast elevation to serve as the main entrance to the dwelling.
2. The proposed extension measures approximately 12.5m in width, 15.8m in depth, 6.7m in height to the highest ridge and 5.2m in height to the highest eaves line. Due to the varying heights and dimensions of the individual elements of the extension, these measurements are taken as the maximum of each dimension.
3. The extension will be finished with brick, cladding and clay pantiles.

Application supporting material:

4. Application form
Amended block and location plan
Amended existing elevations
Proposed elevations
Amended existing floor plans
Proposed floor plans
Cover letter

Site details:

5. The application site consists of a two-storey detached dwellinghouse located outside the settlement boundary of Pakenham. The dwelling is situated on the land between Broadway, Mill Road and Fen Road adjacent to the Shetland Boatyard. The dwelling benefits from a generous curtilage with garden space, gravel parking area and two accesses via Broadway and Mill Road.

6. The dwelling is not situated within a Conservation Area, is not a Listed Building and there are no trees protected by Tree Preservation Orders within the immediate vicinity.

Planning history:

| Reference | Proposal | Status | Decision date |
|------------------|--|---------------------|----------------------|
| SE/12/1651/FUL | Planning Application - Erection of dwelling & garage (Plot 2) (revised application of SE/11/1174) | Application Granted | 10 February 2015 |
| DC/14/0023/HH | Planning Application - (i) Alterations to existing dwelling to include (a) two first floor roof dormers; (b) new porch and associated works & (ii) erection of garage. | Application Granted | 11 March 2014 |
| DC/22/0190/FUL | Planning application - a. detached garage with home office above b. change of use of amenity land to garden land c. formation of access and driveway | Application Granted | 20 May 2022 |

Consultations:

7. SCC: Highways – to be reported.

Representations:

8. Pakenham Parish Council:

Comments received on 21st March 2024 based upon original development proposal and plans:

“Application DC/24/0338/HH 1 Broadway – Pakenham parish council have no objection to this planning application”

9. No comments were received from the Ward Member, neighbours or members of the public.

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:

Joint Development Management Policies Document:

- 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

St Edmundsbury Core Strategy 2010:

- Core Strategy Policy CS3 – Design and Local Distinctiveness

Other planning policy:

National Planning Policy Framework (NPPF)

12. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

13. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on character and scale
 - Impact on neighbouring amenity

Principle of Development

14. Paragraph 11 of the NPPF (2023) (in addition to 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.

15. Policy DM24 of the Joint Development Management Policies Document (2015) states that planning permission for extensions to existing dwellings 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. The dwelling is located within a curtilage that is considered to be able to accommodate moderate development. Therefore, the principle of development in this instance is considered to be acceptable. However, matters relating to design, impact upon character and appearance of the area are considered below.

Impact on character and scale

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. Additionally, DM24 states that proposed development to a dwelling in the countryside outside settlement boundaries will also be required to demonstrate that it is subordinate in scale and proportion to the original dwelling.
18. The application site is located set back from the highways of Broadway, Mill Road and Fen Road but is visible from the public realm of Mill Road and Fen Road at a distance of approximately 85m.
19. As reasoned above, an extension to this dwelling could be accommodated within the curtilage however, the scale of the proposal is considered to be excessive and out of proportion with the host dwelling located in the countryside. The width of the extension is an increase of 4.7m on the existing dwelling and the height of the highest proposed ridge is only a marginal 0.3m lower than the existing ridge. The proposed front and side extensions are considered to result in a bulky form of extension that does not relate well to the existing appearance of the dwelling and is not subordinate to it.
20. Under a previous permitted development Prior Approval, the building was converted from an office to a dwelling and thereby retains a utilitarian form. In principle, an extension to this dwelling would improve the aesthetic value of the building however DM24 states that proposals should respect the character, scale and design of the existing host dwelling.
21. The proposed development has multiple gables and includes both dual-pitched and flat roof elements which are considered to result in an awkward roof form which contrasts the distinctive steep mono-pitch of the host dwelling. Additionally, the complex and cluttered

design of the proposed development is considered to contrast the simple form and rural character of the surrounding dwellings of Mill Road and Fen Road. Therefore, it is considered that the proposal would result in significant adverse harm to the character and design of the existing and surrounding dwellings and thereby fails to meet the provisions of Policies DM2 and DM24.

Impact on neighbouring amenity

22. Policy DM2 states that development should not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution, or volume or type of vehicular activity generated; and/or residential amenity. Policy DM24 supports this and states that development should not adversely affect the residential amenity of occupants of nearby properties.
23. The two-storey element of the southeast facing elevation raises concerns in respect of neighbouring amenity by means of overshadowing and loss of light to the neighbouring dwelling. It is considered that the second storey of the southeast elevation would not be screened by the boundary fence and the minor 4m separation distance to the boundary of the curtilage. The southeast fenestration also poses a risk of overlooking due to the position of the windows serving the master bedroom and ensuite on the first floor. The proposal is therefore considered not to comply with Policies DM2 and DM24 in this regard.

Conclusion:

24. In conclusion, the principle and detail of the development are not considered to be acceptable, and the proposal does not comply with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

25. It is recommended that planning permission be **REFUSED** for the following reasons:
 1. Policy DM2 states that proposed development should respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area. Policy DM24 also states that proposals for extensions to existing dwellings in the countryside outside of settlement boundaries should also demonstrate that they are subordinate in scale and proportion to the original dwelling.

The host dwelling is located within the designated countryside, outside the settlement boundary of Pakenham. The proposed extension would dominate the existing dwelling with excessive bulk and height that is not considered to be subordinate, against the provisions of DM24. The proposed development is not considered to be respectful of the character of the existing dwelling due to the complex roof form which contrasts with the existing steep mono-pitched roof. Neither does the

proposal respect the character of the surrounding dwellings which are of a traditional rural design. Therefore, it is considered that the proposal results in harm to the character and design of the existing dwelling and the surrounding area, contrary to Joint Development Management Policies DM2 and DM24.

2. The proposal is also considered to harm the amenity of the neighbouring dwelling to the south of the site due to the position of the proposal close to the boundary of the curtilage. The two-storey southeast elevation is considered to result in overshadowing and loss of light to the neighbouring plot, and the first-floor fenestration would result in overlooking to the southeast. This loss of amenity is harmful and contrary to Policy DM2 of the Joint Development Management Document (2015) and the NPPF.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/24/0338/HH](https://www.dorsetcouncil.gov.uk/DC/24/0338/HH)