



Appeal Decision

Site visit made on 26 November 2019

by Graham Wyatt, BA (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th December 2019

Appeal Ref: APP/D3505/D/19/3235987

The Granary, Bury Road, Lavenham, CO10 9QG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Trevor Smith against the decision of Babergh District Council.
 - The application Ref: DC/19/01911 dated 17 April 2019, was refused by notice dated 10 June 2019.
 - The development proposed is described as "extension to dwelling".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site has been the subject of a previous decision¹ which I have had regard to in my consideration of the development before me.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building.

Reasons

4. The appeal site is occupied by a small building that is located at the end of a gravel track. The site is within a cluster of dwellings and benefits from an amenity area that extends to the rear of the property and to the rear of the garden that serves Meadow Cottage. The area is generally rural in character with a variety of size and type of dwelling in the vicinity. The existing building is a former granary and with a floor space of 16 sq. m.
5. The Council cite Policy CN01 of the Babergh Local Plan 2006 (the Local Plan) which seeks to ensure that development proposals are of appropriate scale, form, detailed design and construction materials for the location. However, in some locations a contemporary, modern design with flair and imagination will be appropriate. Policy HS33 of the Local Plan also seeks to ensure that the scale, mass and external materials of an extension blend in with those of the dwelling and that it reflects and respects the relationship of the site and its setting.
6. The National Planning Policy Framework (the Framework) states at paragraph 213 that "*existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework*". Thus,

¹ APP/D3505/D/18/3206782 dated 9 October 2018

notwithstanding the age of the Local Plan, I find Policies CN01 and HS33 broadly consistent with the Framework in seeking to ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment.

7. The proposed extension would be attached to the main dwelling via a glazed link, with its main element constructed of brick with full height glazing occupying the front elevation which would be contained under a flat, standing seam zinc roof. The appellant states that this contemporary modern approach to the development would create an attractive place that would be in accordance with Policy CN01 of the Local Plan.
8. From my visit it is clear that the existing property is very small and with only limited accommodation on the ground floor. In this particular case, given the size of the existing property, I recognise that any extension that would provide a functional amount of floor space is likely to be viewed as disproportionate when compared to the existing building at the site. Although I accept that the policies of the Local Plan do not dictate that the size of an extension must not exceed the host property's footprint, the scale of the extension would serve to consume the host building to such an extent that it would become the dominant element within the site and would detract from the simple form and scale of the existing building.
9. Moreover, notwithstanding that I agree that the modern design of the proposal would enable a clear distinction to be made between the host property and the extension, the sheer scale of the proposal would more than double the size of the existing property. The development would compete with the scale of the existing property, failing to reflect and respect the relationship of the site and its setting which would be clearly visible from surrounding properties.
10. Thus, the scale of the extension would result in harm to the host building. It would be in conflict with Policies CN01 and HS33 of the Local Plan, the specific requirements of which are specified above.

Other Matters

11. I accept that the design of the proposal is acceptable in its own right and that the development would not impact on the living conditions of adjoining occupiers. I also acknowledge that adequate amenity space would be provided for the occupants of the dwelling and that the Lavenham Neighbourhood Plan identifies a need for two bedroom dwellings. However, neither this nor any other material consideration that has been advanced outweighs the harm I have identified.

Conclusion

12. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is dismissed.

Graham Wyatt

INSPECTOR