
Appeal Decision

Site visit made on 15 September 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 October 2020

Appeal Ref: APP/X3540/D/20/3244222

Bent Ridge, High Farm, Brightwell, Ipswich, Suffolk IP10 0AZ

- 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 and Mrs B Sheppard against the decision of East Suffolk Council.
 - The application Ref DC/19/3875/FUL, dated 1 October 2019, was refused by notice dated 20 November 2019.
 - The development proposed is single storey rear and front extensions. Extension to detached garage block.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear and front extensions. Extension to detached garage block at Bent Ridge, High Farm, Brightwell, Ipswich, Suffolk IP10 0AZ in accordance with the terms of the application, Ref DC/19/3875/FUL, dated 1 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and Block Plan Drawing No 5466 9; Existing Floor Plan Drawing No 5466 3; Existing Elevations & Section Drawing No 5466 4; Proposed Floor Plan Drawing No 5466 5A; Proposed Elevations & Section Drawing No 5466 6A; Proposed Roof Plan Drawing No 5466 8A; and Existing & Proposed Garage Elevations Drawing No 5466 7.

Procedural Matter

2. The East Suffolk Council Suffolk Coastal Local Plan (LP) was adopted on 23 September 2020. The LP has replaced the East Suffolk Council - Suffolk Coastal District Local Plan - Core Strategy and Development Management Policies Development Plan Document 2013. The Council has confirmed which new policies correspond with and replace the policies which the application was determined against. The appellant has had the opportunity to comment on the implications of the LP to the appeal. Against this background, no injustice has been caused to either appeal party. I have therefore had regard to the most up to date development plan policies in my determination of this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property, Bent Ridge, and the surrounding area.

Reasons

4. The appeal proposal comprises of three parts. The Council states that it has no concern with regard to the proposed porch to the front elevation. I see no reason to disagree.
5. The Council considers that the original building has already been extended such that the appeal proposal, in combination with the previous extensions, would result in the loss of the dominance of the original building. It also makes reference to a condition attached to the original planning permission which states; 'The floor area of the dwelling shall not exceed 167 square metres, unless otherwise agreed in writing with the local planning authority'. The Council considers that the reason for the condition was 'to ensure that the proposed dwelling is of an appropriate size having regard to the prevailing planning policies which permits only a modest change to the size of the original authorised residential unit'.
6. I have not been provided with any more specific details of that permission or of the planning policies against which that permission was granted. However, the permission was granted in 2002. The policies at that time have been superseded. I have not been directed to any current development plan policy that restricts the size of extensions to existing dwellings to any specific percentage increase or size of footprint. Further, the restriction of that condition operates 'unless [my emphasis] otherwise agreed in writing with the local planning authority'. I therefore see no breach of that permission in the determination of this appeal.
7. The proposed rear extension would not extend beyond the existing side elevation of the dwelling and would follow the unique crescent shaped floor plan. The height of the proposed 'green' roof would be clearly subservient to the original roofline. The proposed rear extension would not be visible from the front of the property and would not compromise the original design to such an extent as to unacceptably undermine the dominance of the original building. Although this part of the proposal would introduce a flat roof to a building which currently has a pitched roof, the proposed design allows the original pitched roof and curved shape to remain easily identifiable.
8. The third part of the proposal seeks an extension to the double garage which is situated at the front of the dwelling. It would result in a triple garage. The additional bay would continue the existing design and would bring the garage closer to the dwelling. The scale of this extension and its location well within the existing site boundaries mean that it would not be visible from outside of the site, nor would it result in any significant loss of garden area. It would be well related to and compatible with the existing built form. As such it would not be harmful to the character or appearance of the host property or the surrounding countryside.
9. Overall, the property is very well screened from outside of the site by mature hedgerows, and as such the proposals would result in very little, if any impact on the character and appearance of the surrounding area. Even if the site is

less well screened during the winter months, the proposals would be contained within the existing site boundaries and would be subservient to the existing building.

10. Consequently, I conclude that the proposed development would not have a harmful effect on the character and appearance of the host property or the surrounding area. Thus, it would be consistent with LP Policies SCLP11.1 and SCLP10.4 which together and amongst other matters seek high quality design which protect the special qualities and features of the area.

Other Matters

11. The Council has made reference to a previous dismissed appeal at the site for a detached garage which, it was considered, would have a harmful impact on the surrounding countryside. However, I have not been provided with any specific details of that case and therefore I am unable to be certain that that proposal was directly comparable to the scheme before me. I have necessarily determined this appeal on its own merits.

Conditions

12. The Council has suggested conditions which I have considered against the advice in the National Planning Policy Framework and Planning Practice Guidance. In addition to the standard implementation condition, I have imposed a condition specifying the approved drawings as this provides certainty.
13. Whilst the Council suggested matching materials, I have not imposed a condition to this effect. This is because alternative materials are proposed in relation to some elements of the proposal, including the 'green roof' element, as set out in the approved drawings. I find the proposed materials to be acceptable.

Conclusion

14. For the reasons given above the appeal is allowed.

S Tudhope

Inspector