



Appeal Decision

Site visit made on 2 December 2020

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 17th December 2020

Appeal Ref: APP/X3540/D/20/3253485

6 Holton Avenue, Lowestoft, Suffolk, NR32 4RR

- 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 & Mrs Stokes against the decision of East Suffolk Council.
 - The application Ref DC/20/0487/FUL, dated 5 February 2020, was refused by notice dated 25 March 2020.
 - The development proposed is a front extension and carport.
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Decision

1. The appeal is dismissed insofar as it relates to a front extension.
2. The appeal is allowed insofar as it relates to a carport and planning permission is granted for a carport at 6 Holton Avenue, Lowestoft, Suffolk, NR32 4RR in accordance with the terms of the application, Ref. DC/20/0487/FUL, dated 5 February 2020, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
 - 1) The carport hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The carport hereby permitted shall be carried out in accordance with the following approved plan insofar as relevant to that part of the development hereby permitted: 2577.19.1B.
 - 3) The materials used in the external surfaces of the carport hereby permitted shall closely match the existing dwelling.

Main Issues

3. I consider that the main issues in this case are the effect of the proposed front extension on the character and appearance of the street scene and the living conditions of the residents of No. 4 Holton Avenue, with particular reference to outlook.

Reasons

Character and appearance

4. The appeal proposal comprises 2 separate elements: the addition of a front extension to No. 6; and, the addition of a carport, which would project from the northern side wall of the dwelling and would be set well back from its existing

front building line. The Council's reason for refusal relates to the front extension and so I will focus on that to begin with.

5. No. 6 is situated part way along a row of 8 bungalows (Nos. 2-16) that front onto the western side of Holton Avenue. Nos. 4-14 have simple, stepped front gable walls with a similar front building line. I consider that the regular rhythm of these front gables makes a positive contribution to the character and appearance of the street scene.
6. The proposed front extension would extend across the full width of the dwelling, it would project forward beyond the existing front building line of No. 6 by a distance of around 3 metres and its front gable would not be stepped. Situated part way along the row of bungalows, the proposed front extension would have a discordant and obtrusive appearance. It would detract greatly from the group value of Nos. 4-14.
7. Whilst it appears that Nos. 2 and 16 have been extended to the front, the circumstances at those other properties differ from one another and from those in the case before me in a number of respects. It appears that part of the original front gable of No. 2 has been retained and the forward projection of its front extension is not as great as that which is proposed at No. 6. At No. 16 there is a detached garage, which projects well forward of the front building line of Nos. 4-14 and it appears that the dwelling has been extended broadly in line with the garage. Furthermore, as Nos. 2 and 16 are situated at either end of the row of bungalows, they do not detract from the group value of Nos. 4-14. The same can be said in relation to the limited roof extension which has been added to No. 10, as it is set back from the front building line.
8. The appellants have also drawn my attention to a front porch at No. 7. However, that property is situated on the opposite side of the avenue and its porch is far smaller than the proposed front extension at No. 6. The circumstances at No. 15 Tunstall Drive also differ from those at the appeal site. Whilst No. 15 appears to have been extended well forward of the front building line of the neighbouring bungalow, it has a detached garage that projects forward by a similar distance and it is situated on a corner site. To my mind, the garden fences in the street, which are not as high as the proposed front extension, do not have the same impact, nor do parked vehicles or caravans, which are not of the same scale. In any event, each case must be considered primarily on its own merits and, in my view, the other features of the areas that the appellants have referred to do not justify harmful development of the appeal site.
9. I conclude that the proposed front extension would have an unacceptable impact on the character and appearance of the street scene. In this respect, it would conflict with Policy WLP8.29 of the *Waveney Local Plan, 2019*, insofar as it seeks to ensure that development proposals complement local character and distinctiveness, and respond to local context and the form of surrounding buildings in relation to: layout; and, the relationship between buildings and spaces and the wider street scene.

Living conditions

10. The front elevation of No. 4 contains a habitable room window, which extends to within a short distance of the alignment of the side wall of the property that faces towards No. 6. Due to the limited separation distance between these

neighbouring bungalows and the forward projection of the proposed front extension, it would be clearly visible from that neighbouring window and would appear overdominant and obtrusive when seen from the room served by that window. I consider that it would noticeably reduce the outlook enjoyed by the residents of No. 4 when using the room served by that front window.

11. I conclude that the proposed front extension would cause unacceptable harm to the living conditions of the residents of No. 4, with particular reference to outlook, and in this respect it would conflict with Policy WLP8.29 insofar as it seeks to protect the amenity of neighbouring uses.

Other matters

12. The appellants have provided drawing no. 2577.19.1C, which shows front extensions with different forward projections, and have asked that, if the proposed front extension is rejected, an indication be given as to the length of extension which would be acceptable. However, in such circumstances, that would be a matter for discussion between the Council and the appellants in the first instance, not a matter for me.
13. The proposed carport would be set well back from the front of No. 6 and would extend from the northern sidewall of the dwelling to the side boundary shared with No. 8. Neither the Council nor anyone else has raised any concerns with respect to the carport. I have no reason to do so and consider that it would not conflict with the Development Plan.

Conditions

14. The Council has suggested 3 conditions which it considers should be imposed in the event that planning permission is granted in this case. In addition to the normal commencement condition, I consider that a condition would be necessary to ensure that the any works for which planning permission is granted would be carried out in accordance with the approved plans, in the interests of certainty for all parties. A condition would also be necessary, in the interests of visual amenity, to control the materials used in the external surfaces of the development.

Conclusions

15. In my judgement, the 2 elements of the appeal scheme, the proposed carport and front extension, are separable from one another. For the reasons given above, I conclude that insofar as it relates to the front extension, the appeal should be dismissed. However, it should be allowed in relation to the proposed carport.

I Jenkins

INSPECTOR