



Appeal Decision

Site visit made on 23 June 2021

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2021.

Appeal Ref: APP/F3545/D/21/3271834

The Pines, 5 Old Mill Court, Bardwell, Bury St Edmunds, Suffolk IP31 1BG

- 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 J Diaper against the decision of West Suffolk Council.
 - The application Ref: DC/21/0004/HH, dated 22 December 2020, was refused by notice dated 3 March 2021.
 - The development proposed is single storey mono-pitch roof extension and insertion of roof window to rear of house, canopy porch and repositioning of door to side of house, extension to front and side of garage and new roof over (including pruning of 1 No. Hazel), extension to rear of garage to create habitable space, and new wall and gates to front.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey mono-pitch roof extension and insertion of roof window to rear of house, canopy porch and repositioning of door to side of house, extension to front and side of garage and new roof over (including pruning of 1 No. Hazel), extension to rear of garage to create habitable space, and new wall and gates to front at The Pines, 5 Old Mill Court, Bardwell, Bury St Edmunds, Suffolk IP31 1BG in accordance with the terms of the application ref: DC/21/0004/HH, dated 22 December 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2033/01 existing plans and elevations, including block plan/location plan received 31/12/2020, and 2033/02 proposed plans and elevations received 31/12/2020.
 - 3) The development shall be carried out strictly in accordance with the tree protection measures contained within the tree protection plan submitted on 22 February 2021.

Main Issue

2. The main issue is the effect of the proposals on the character and appearance of the area.

Reasons

3. The Pines is a detached two storey dwelling situated at the entrance to the small cul-de-sac of Old Mill Court. It is adjacent to the grounds of Bardwell

Primary School. There are protected Scots Pine trees within the school grounds. The school premises are also within Bardwell Conservation Area, whereas Old Mill Court is outside the conservation area boundary.

4. In 2013 the Council granted permission (ref: DC/13/0050/HH) for a single storey rear extension to the house and an extension to the existing garage. The appellants advise that the development subject to that permission has been commenced through the digging of foundations for the garage extension. The Council indicates that it has no reason to doubt the claim.
5. The Council considers that the proposed single storey rear extension to the house, along with the rooflight, cladding of the garage and re-positioning of the side door with canopy porch over would not result in a negative impact on the character and appearance of the surrounding area. I see no reason to disagree, particularly as the proposed rear extension would be smaller than that previously approved. However, the Council's view is that the single storey side extension and front extension to the garage and raising of the roof pitch of the existing garage would be materially harmful to the appearance and character of the surrounding area.
6. The proposed rear extension to the garage would be around 5.05 m wide by 5.27 m in depth and with a ridgeline around 4.9 m in height. The previously approved extension in 2013 would have had a similar height and a slightly larger footprint. I consider that the proposed rear garage extension, designed to provide habitable space, would have no harm on the character and appearance of the building or surrounding area.
7. An arboriculture report was submitted with the application. The Council's Arboriculture Officer reviewed the report and had no objections to the application, subject to compliance with the protection measures contained within the report. Approval of the development should therefore be subject to a condition to ensure no harmful effect on the Scots Pine trees within Tree Preservation Order 2005 ref: 409 and situated within the school grounds, next to the rear boundary of the appeal site.
8. The proposed side extension to the garage would have a width of around 3.3 m and length of 6.3 m and a pitched roof which would be lower than that of the proposed rear extension to the garage. The Council advises that the Old Mill Court development was carefully designed with a landscaped buffer which sits nearest to the road to create an open appearance from the public realm, and to protect views into and out of the conservation area. Despite this the trees and shrubs fronting the development have matured so the buffer zone does not have an open appearance, and the main unimpeded view of the appeal site and cul-de-sac is along the access from School Lane.
9. The development will require pruning of one of the hedgerow Hazel trees, but otherwise the screening effect of the hedgerow and occasional trees would be largely retained. Trees within the school grounds would provide additional screening. There would be a gap between the side extension and the rear of the hedge, so the gable end of the side extension would be set back from School Lane and thereby reduced in prominence.
10. The proposed increase in the roof height of the original garage would result in a steeper pitch that would increase the harmony in design with the roof pitch of the main house. The front of the garage would be extended forwards by

around 1.57 m. However, the appearance of the entrance to the garage would be enhanced by the provision of a new flint rubble /red brick boundary wall and a five bar gate, set in from the Old Mill Court access road, and providing an element of vernacular rural design.

11. The appeal site is next to the boundary of the Bardwell Conservation Area. There are a number of listed buildings in the local area, notably Bardwell Windmill. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard be had to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 66(1) of the Act also requires special regard to be had to the desirability of preserving or enhancing a listed building or its setting or any special features it may have. The Council's Conservation Officer advised that the proposed development would be seen alongside existing development and will not adversely affect any significant views into, out of, or through the conservation area and will not affect a significant or planned view appreciated from the listed buildings. From my site visit I see no reason to disagree and find that the proposal would have no adverse effect on the character or appearance of the conservation area or on the setting of any listed buildings.
12. Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (Local Plan JDMPD) policy DM24 requires extensions to dwellings to reflect the character and design of existing dwellings. The changes and extensions to the existing garage are intended to give the structure the appearance of a more traditional cart lodge which has been added to. Whilst the external materials differ in relation to those used at the main house, I consider that the proposed alterations and extensions to the garage would be acceptable in view of the rural location of the appeal site.
13. I consider that the proposal has no significant harmful effect on the character and appearance of the surrounding area and does not conflict with Local Plan JDMPD policy DM24 in that respect. The development would reflect local distinctiveness and a sense of place in accordance with Local Plan JDMPD policy DM2 and St Edmundsbury Core Strategy policy CS3.

Conditions

14. In addition to the standard condition for the commencement of development a condition is attached confirming the approved plans. The plans and application form provide details of the proposed materials and I therefore consider that the Council's suggested condition requiring materials to be those detailed on the application form is unnecessary. A condition is included to ensure that the protected Scots Pine trees and their roots will be safeguarded.

Conclusion

15. I have taken all other matters raised into account, including the provisions of the National Planning Policy Framework regarding good design. For the reasons given above I conclude that the appeal should be allowed subject to conditions.

Martin H Seddon

INSPECTOR