
Appeal Decision

Site visit made on 12 January 2022

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 JANUARY 2022

Appeal Ref: APP/X3540/D/21/3285169

Heath Farm Barn, London Road, Kessingland NR33 7PQ

- 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 P Wicks against the decision of East Suffolk Council.
 - The application Ref DC/21/2652/FUL, dated 1 June 2021, was refused by notice dated 10 August 2021.
 - The development proposed is single, two storey and first floor extensions.
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Decision

1. The appeal is allowed and planning permission is granted for single, two storey and first floor extensions at Heath Farm Barn, London Road, Kessingland NR33 7PQ. The permission is granted in accordance with the terms of the application Ref DC/21/2652/FUL, dated 1 June 2021, 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: 150221 3A (site plans) and 150221 2A (floor layouts and elevations).
 - 3) The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning.
 - 4) The first floor window in the south elevation shown on plan ref. 150221 2A shall be glazed with obscured glass and no part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the window shall thereafter be permanently retained in this approved form.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the host dwelling and surrounding area.

Reasons

3. The appeal property is a one and a half storey detached dwelling, which is part of a small group of dwellings located to the north of Kessingland close to the roundabout serving the A12 and B1437 roads. Immediately to the south is a camping and caravan park with open land behind the appeal property to the east.
4. Reference is made to a previous unsuccessful application to extend the appeal property¹. While I note this earlier application, this appeal involves a separate proposal which I have considered on its own merits.
5. Policy WLP8.29 of the East Suffolk Council – Waveney Local Plan (2019) expects development proposals to demonstrate high quality design which reflects local distinctiveness. Policy WLP8.9 also of the Local Plan concerns replacement dwellings and extensions in the countryside. It says that proposed extensions will be permitted where they are in keeping with the height, scale and character of the original dwelling and will not adversely affect the character and appearance of the building, the plot of land on which it is located and the rural setting.
6. The existing dwelling has a relatively large footprint but is of modest height. The proposed extensions would add to the footprint to a limited extent, while the principal change would be to the height of the building. The two storey elements would materially change the dwelling's character and appearance by creating a substantially larger building of greater bulk and mass. However, while not unattractive, the existing building has little architectural merit in its own right and the drawings show that the proposed extensions would result in a proportionate and well-designed dwelling using materials matching the original. In these circumstances, despite the change in height, there would be no conflict with one of the principal purposes of Policy WLP8.9, which is to ensure that there is no adverse effect on the character and appearance of the building.
7. Heath Farm Barn is set well back from the road frontage behind the dwellings with which it forms a group. Views of it from the public realm are only available between the large detached dwelling, Poppy Dale Farm, and the four dwellings that comprise Heath Terrace. Both buildings are two storey and of substantial size. As such, the extended dwelling would be seen as characteristic of the predominant built form in the small group. Moreover, its overall size seen in passing views from the road frontage would be diminished by its distance behind the buildings framing it to either side. The appeal property is set within a large residential curtilage with an extensive garden to the rear. Consequently, the extended building would not be readily visible from open land beyond this.
8. Accordingly, for these reasons, I conclude that the proposed extensions would not have a harmful effect on the character and appearance of the host dwelling and surrounding area. Consequently, there is no conflict with Policies WLP8.29 and WLP8.9 of the East Suffolk Council – Waveney Local Plan (2019), as described above.

¹ Ref DC/21/0887/FUL.

Other Matters

9. As well as its reason for refusal, the Council expresses concern about the effect of the extended dwelling resulting from its overbearing presence within the small road it is located in and the loss of privacy to the neighbouring property to the south, Heath Farmhouse.
10. Based on the submitted plans and site inspection, the separation distances between the extended dwelling and its neighbours to the front and side are relatively generous and, despite its greater size, it would not appear dominant or overbearing from the available views. The southern side elevation of the extended dwelling would include a first floor window serving a lounge. The shared boundary with Heath Farmhouse extends northwards at the location of this window and it is likely that views to the rear of Heath Farmhouse and its garden could be obtained, resulting in a loss of privacy.
11. It is, however, a well-established principle that upper floor windows in extended side elevations should include obscured glass and be non-opening below a minimum height to protect neighbouring privacy. With a condition in place to secure these measures, any likely harm would be overcome. This would not have a harmful effect on use of the relevant room in the extended dwelling as it includes windows in the rear-facing east elevation enabling sufficient outlook and light. Based on these findings, and the lack of any other evidence relating to possible harmful effects on neighbouring living conditions, I conclude that no such harm would occur.

Conclusion and Conditions

12. For the reasons given above it is concluded that the appeal should succeed.
13. As well as the condition already referred to, of the Council's suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used to match those of the existing building, as shown on the submitted plans, is needed in the interests of the appearance of the host dwelling and wider area.

J Bell-Williamson

INSPECTOR