



Appeal Decision

Site visit made on 27 March 2023

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/F3545/W/22/3313713
Coverack, Chapel Lane, Brockley IP29 4AS.

- 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 Dean Wingfield against the decision of West Suffolk Council.
 - The application Ref DC/22/0007/HH dated 27 February 2022, was refused by notice dated 11 November 2022.
 - The development proposed is a) two storey extension on front elevation to include porch b) pitched roof on garage, c) one dormer on rear elevation, d) extension of existing dormer to rear and e) first floor extension to front above existing flat roof extension.
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Decision

1. The appeal is dismissed in respect of the first floor front extension.
2. The appeal is allowed and permission is granted for a) two storey extension on front elevation to include porch b) pitched roof on garage, c) one dormer on rear elevation, d) extension of existing dormer to rear at Coverack, Chapel Lane, Brockley IP294AS in accordance with the terms of the application Ref DC/22/0007/HH dated 27 February 2022 insofar as it relates to these elements and subject to the following conditions:
 - 1) The development hereby permitted must be begun no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted documents and the following approved plans insofar as they relate to the extension elements a) to d) hereby permitted: Site Location Plan; Block Plan Proposed Ground Floor and First Floor Floorplans and Proposed Front and Rear and Side Elevations.
 - 3) The materials to be used in the construction of the roofing of the development hereby permitted shall match those used in the existing building.

Procedural Matter

3. The description of development submitted in the application is unclear and the Council with the agreement of the appellant revised the description. However, that revised description fails to include the first floor front extension. I have therefore added it as element e) to the revised description and will use this for the purposes of my decision.

Main Issue

4. The main issue in this case is the effect of the proposed development on the

character and appearance of the host dwelling and its surroundings on Chapel Lane.

Reasons

5. The appeal site sits on the south side of Chapel Lane a road containing a mix of chalet bungalows similar to the appeal property and two storey detached dwellings. Coverack is constructed in brick under a tile roof which has pairs of flat roof dormers front and rear cut into the roof lighting the upstairs accommodation. A flat roof single storey extension containing a gym and utility area and flat roof detached garage sit to the front of the property.
6. The major change to the property would be the addition of a first floor extension above the existing flat roof front extension to provide a further bedroom. The single storey extension aligns with the east side wall of the property and extends more than a third of the width of the property. The effect of building a first floor on top with an eaves height half way up the existing roof slope and a ridge line the same as the main house would be a front extension that would be totally disproportionate to the host dwelling. Although the depth of the existing ground floor extension is not excessive the effect of the roof angle on the main house results in significant scale and mass at a high level to form the first floor extension. The effect of this would significantly and adversely change the character and appearance of the house.
7. I acknowledge that there would be a degree of screening of the extension from the east as the neighbouring house - Suffolk Cottage - sits slightly forward of Coverack with an attached garage flush to the road which has the effect of partially screening Coverack. Nevertheless, given the height of the extension, this would only be partial and in inward views from the west, particularly from neighbouring properties, the effect of the additional scale and mass would appear out of character with both the dwelling and the street scene.
8. Although I have been referred to another property with a two storey front extension which the appellant considers justifies the proposal at Coverack I am not persuaded that the two cases are sufficiently similar to have a bearing. The property at Seefeld on Mill Street has a recently constructed front extension but it is narrower in width relative to the main house, with slightly lower eaves than those proposed at Coverack and, crucially, the ridge line is set down from the main ridge. The result is that the extension appears subordinate to the main house which would not be the case at Coverack. I have therefore considered the appeal proposal on its own merits.
9. With regard to the porch extension with ensuite above this would successfully avoid the problems described above as it would be a narrower and shallower projection with a substantial set-down to the ridge compared to the main ridge and the whole would appear subordinate and in keeping with the property. Similarly, there would be no problem in respect of character and appearance as a result of the proposal to reroof the garage with a pitched roof which would improve the appearance of the garage on the frontage.
10. In respect of the changes to the rear dormers to accommodate a bathroom and ensuite the changes in scale and appearance would be minimal and the finished result would not be significantly different to the existing.

11. Thus these elements would be in accordance with Policy DM24 of the *Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document* (JDMPD) on alterations and extensions which requires that such development should respect the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area. Conversely, the proposed first floor front extension for the reasons above and particularly in respect of its positioning, scale, mass and height would not deliver on these objectives.

Other Matters

12. I accept that the appellant, in proposing the first floor front extension, is seeking to make sustainable and effective use of housing land to meet specific housing requirements (to accommodate his daughter's needs) objectives which are encouraged by the *National Planning Policy Framework* (the Framework) in sections 5 and 11. However, Paragraph 124 in Section 11 of the Framework makes clear that maintaining an area's prevailing character and setting must be taken into account. There is no detailed evidence before me as to why these needs could not have been achieved in a different way without harm to the character and appearance of the property and its surroundings. Although the appellant has included illustrative alternative schemes showing a hipped roof or slightly lower ridge height these would not result in a sufficient reduction in the scale and mass of the front extension to overcome the harm to character and appearance.

Conclusion and conditions

13. I have had regard to the Public Sector Equality Duty contained in the Equality Act 2010 and understand the appellant's wish to expand his accommodation to meet his family needs. However this does not outweigh the harm that the first floor front extension would cause to the character and appearance of the property and of Chapel Lane.
14. It is open to me to reach a split decision on the appeal allowing it and granting permission where there are elements of the proposal involved that are acceptable and these are physically and functionally separate to the element that would be detrimental. The elements that are acceptable in this case are physically and functionally separate to the first floor front extension and accordingly, I will allow the appeal in respect of the front porch extension and ensuite above, the pitched roof to the garage and the alterations to the rear dormers and grant permission subject to conditions.
15. However, for the reasons given above the appeal is dismissed in respect of the first floor front extension.
16. I have considered the proposed conditions in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty. The Council did not include a condition requiring construction to use matching materials possibly because the cladding material for work to upper levels of the property would be new to the property. However, in the interests of retaining character and appearance the new pitched roofs should be completed in material matching the roof tiles on the host dwelling and I have therefore attached a condition to that effect.

P. D. Biggers INSPECTOR