



Appeal Decision

Site visit made on 15 May 2023

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

an Inspector appointed by the Secretary of State

Decision date: 5th June 2023

Appeal Ref: APP/W3520/D/23/3314462

26 Lowgate Street, Eye, Suffolk IP23 7AS.

- 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 A Robinson against the decision of Mid Suffolk Council.
 - The application Ref DC/22/04570 dated 13 September 2022, was refused by notice dated 1 November 2022.
 - The development proposed is erection of two storey rear extension, front porch and detached single storey garage/store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal was originally submitted under the name of a third party. However, it has subsequently been confirmed by the original applicant, Mr A Robinson, that the appeal is being made in his name.

Main Issues

3. The main issues in this case are whether the proposed development would have a detrimental impact on:
 - the character and appearance of the host dwelling and the surroundings of Lowgate Street; and
 - the present and future living conditions of the occupants of the bungalow (Russets) to the rear.

Reasons

4. The appeal site sits on the south side of Lowgate Street outside but adjacent to the Eye Conservation Area. The appeal property is a small, detached, timber framed, two up two down cottage currently under renovation and standing in a substantial plot. The site is bounded to the east, south and west by single storey residential properties.
5. The appeal proposal would extend the cottage to the south with a 1.5 storey, pitched roof structure tied to the host cottage with a pitched roof, single storey linking block. A detached, single storey, pitched roof garage/store would be positioned near to the south west corner of the plot.

Character and Appearance

6. Development of the extension and link would result in a structure significantly larger in both footprint and floor area than the existing cottage and almost as high. The result of this is that the extended part of the house would appear disproportionately large and not subordinate to the main house. Moreover, in design terms, the proposed extension with its wider footprint and, as a result more horizontal emphasis, is poorly conceived and would not relate well to the traditional proportions of the original cottage.
7. I have been invited to conclude that the extension would be, at least in part, screened from the street and that the cottage would remain the dominant part of the house. However, this would only be true when looking at the cottage square on from Lowgate Street. In the approaches from both east and west along Lowgate Street the extended part of the house would be highly visible, dominating the original cottage and to the detriment of its historic character.
8. It has been put to me that the extension has been designed with a view to the original cottage being read as the older and main structure with the extension clearly a separate structure. Whilst I accept that, as a design approach, this has some merit, it is the large scale, mass and height of the extension that is the principal problem adversely impacting on the character of the original cottage.
9. Regarding the proposed porch and garage store I am satisfied that their designs in relation to the original cottage are acceptable. The garage building being set away from and genuinely subordinate to the cottage would not compete with it. However, I have concerns regarding the garage positioning in relation to the boundary and Russets which I consider further below.
10. For the reasons above the proposed extension largely due to its positioning, scale mass and height, would adversely impact on the character and appearance of the original cottage and Lowgate Street. It would therefore conflict with both The *Mid Suffolk Core Strategy* (MSCS) Policy CS5 which requires development to maintain and enhance the environment and to *Mid Suffolk Local Plan* (MSLP) Policies H18 on extensions and GP1 on the design and layout of development. Policy H18 requires extensions amongst other things to be in keeping with the size, design and materials of the existing building. Whilst materials would match the original cottage, the size and design would be detrimental. Regarding Policy GP1 the proposal would not maintain or enhance the character and appearance of the original cottage and its surroundings and respect scale and density and the requirements of the first of the design criteria would not therefore be met. In addition to the MSLP the *Eye Neighbourhood Plan* adopted in 2021 forms part of the Development Plan and includes Policy EYE16 dealing with the design of development within the settlement boundaries. The policy stresses the importance of responding creatively to, and enhancing, the setting of the immediate area, with regard to the character of the adjacent buildings and spaces, including scale, orientation, height and massing and design. Again the proposal would fail to achieve this objective.

Living Conditions

11. The concern set out in the second reason for refusal refers to the excessive size and bulk and the positioning relative to the neighbouring bungalows (in particular Russets) but focusses on the potential for overlooking. I am less concerned about

overlooking than about the scale and mass in close proximity to Russets. Although the Council refers to the dormer window to the rear of the extension and the impact this would have, this lights a shower room only, the glazing to which could be conditioned to be obscured and therefore overlooking would not be an issue. There would also be a main window and Juliet balcony proposed in the gable end of the extension lighting a first floor bedroom looking towards No 28 Lowgate Street but, as the separating distance over Moorhall Causeway and an intervening garage would be substantial, I am satisfied any overlooking would not be a significant concern.

12. However, the 1.5 storey extension would have an overall height of about 6.5 metres to ridge and about 3 metres to eaves and would be positioned only around 5 metres from the main entrance to Russets. The garage/store, although slightly lower at around 4.5 metres, would be positioned only about 4 metres from the gate and entrance path to Russets. This close proximity and the height of the structures would be overbearing on the bungalow and its approach seriously dominating the outlook from the main front entrance. There does not appear to be any reason why, in respect of the cart lodge at least, this could not have been designed to be positioned further off the boundary.
13. The *National Planning Policy Framework* (the Framework) at paragraph 130 states, amongst other things, that developments should ensure a high standard of amenity for existing and future users. This is reflected in MSLP Policy H16 which requires that development should not materially reduce the amenity and privacy of adjacent dwellings. The proposal would conflict with these policy objectives by having an overbearing relationship to Russets.

Other Matters

14. I accept that the appellant, in proposing the extension to what is a very small cottage, is seeking to restore and update the cottage to create a modern family home and thereby make sustainable and effective use of an existing structure and housing land, an objective which is encouraged by 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 (including residential gardens) must be taken into account. There is no evidence before me as to why an alternative design for an extension to the cottage could not have been arrived at without harm to the character and appearance of the property and its setting on Lowgate Street and without impact on neighbouring occupiers.

Conclusion

15. For the reasons above, the harm that the extension would cause to the character and appearance of the property and its surroundings and to the living conditions of the occupants of Russets in particular would be unacceptable and accordingly, the appeal is dismissed.

P. D. Biggers

INSPECTOR