



Appeal Decision

Site visit made on 28 June 2023

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2023

Appeal Ref: APP/D3505/D/21/3286687

29 Oak Road, Great Cornard, Suffolk CO10 0EX

- 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 S Richardson against the decision of Babergh District Council.
 - The application Ref DC/21/03695, dated 29 June 2021, was refused by notice dated 25 August 2021.
 - The development proposed is 'first floor side extension, two storey front extension, conversion of garage into living accommodation and alterations to existing vehicular access.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of the appeal, the appellant submitted a larger version of the location plan that was included on drawing no 21/026-3 considered by the Council, as well as versions of the existing and proposed elevation and floor plan drawings showing additional details of the neighbour at 28 Oak Road, and photographs. These plans and photographs do not amend the development being proposed, and instead provide additional context to the proposal. I am satisfied that my consideration of these details would not prejudice the interests of any party, and I have therefore taken them into account in determining the appeal.

Main Issues

3. The main issues are (i) the effect of the proposal on the character and appearance of the area; and (ii) the effect of the proposal on the living conditions of the occupiers of 28 Oak Road in respect of light and whether or not it would be overbearing.

Reasons

Character and Appearance

4. Oak Road is generally characterised by pairs of semi-detached dwellings of similar original designs. There is some variety in external finishes, and many of the dwellings have single-storey projections to the front, side and/or rear. However, most are set in from the boundaries to their sides at first-floor level and above so that there remains an impression of symmetry to the pairs, and some spacing is maintained between the upper parts of buildings. Together with common features such as the pitched roof forms and regular arrangement of fenestration, the pattern of gaps between buildings provides for a distinctive rhythm and sense of cohesion to the street scene overall.

5. The proposed first-floor side extension would be built up to the boundary with the neighbour at 28 Oak Road. I did observe some other nearby dwellings with first-floor side extensions, including No 28 which is already built up to the boundary with the appeal site, but was not directed to any examples of two adjacent dwellings which had each been extended up to the boundary between them at first-floor level. Although the extension would be set down from the main roof, it would effectively infill the remaining gap between the appeal building and No 28. This would create the appearance of a terrace which would be striking in the street scene, and would harmfully disrupt the characteristic pattern of gaps between semi-detached building pairs.
6. In addition, the side extension would wrap around to the front of the dwelling beneath a catslide roof that would include two front dormers. Although the set down of the roof and soffit level relative to the host dwelling roof would give the extension a degree of subservience, its scale and forward projection would still result in a prominent addition to the front of the appeal dwelling that would notably alter its overall form. The windows to the dormers would also be of differing proportions to those typically present to the front of nearby dwellings at first-floor level. Given these factors, I find that the design would result in an awkward and visually jarring relationship with the attached neighbour at 30 Oak Road, eroding the symmetry of the pair. Moreover, I was not directed to any other two-storey front extensions or dormers to dwellings in the vicinity of the site. While it would be set back from the front of No 28, the development would be readily visible from the street scene where I find it would stand out as an unusual and conspicuous feature, exacerbating the visual impact of the development and the incongruous lack of spacing to No 28.
7. Irrespective of the external materials and detailing, I therefore conclude that the proposal would be a discordant and intrusive feature that would erode the distinctive pattern of development nearby causing unacceptable harm to the character and appearance of the area. It would accordingly conflict with Policies CN01 and HS33 of the Babergh Local Plan 2006 which broadly require, amongst other things, development of appropriate scale, form and design for the location and extensions that blend in with the dwelling and its wider setting. It would similarly be contrary to the National Planning Policy Framework ('the Framework') which seeks well-designed places and development that is sympathetic to local character.

Living Conditions

8. The side extension would project some way beyond the rear elevation of the neighbour at 28 Oak Road. However, I saw that the closest first floor window to No 28 was obscure glazed and appeared to serve a bathroom. The closest ground floor window is a small window which an interested party indicates serves a utility room, and the door beyond was also fitted with obscure glazing and does not appear to serve a habitable room. Given the treatment of these windows and that they do not serve habitable rooms, I find that the proposed extension would not be unacceptably overbearing, and that any loss of light to these windows would not cause meaningful harm to the living conditions of occupiers of No 28.
9. I am also satisfied that the greater separation to other windows to habitable rooms and the set down of the extension and its set back from the existing

dwelling would be sufficient to ensure that the extension would not cause a harmful loss of light or appear overly dominant in other potential views.

10. I therefore conclude that the proposal would not cause unacceptable harm to the living conditions of the occupiers of 28 Oak Road. In this regard, the proposal would comply with Policy HS33 of the Local Plan insofar as it seeks to maintain levels of amenity enjoyed by occupants of neighbouring properties; as well as the requirement within the Framework for a high standard of amenity for existing and future users.

Conclusion

11. The proposal would provide additional living space for the appellant, but this factor is not in my judgement sufficient to outweigh the harm that I have identified would be caused to the character and appearance of the area, and the resulting conflict with the development plan.
12. I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR