



Appeal Decision

Site visit made on 15 August 2023

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 18th September 2023

Appeal Ref: APP/D3505/D/23/3323474
8 Elm Close, Brantham, Suffolk C011 1TD

- 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 Eric Osben against the decision of Babergh District Council.
 - The application Ref DC/23/01290, dated 15 March 2023, was refused by notice dated 23 May 2023.
 - The development proposed is a 1.5 storey side extension to bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has submitted within the appeal documentation a revised plan showing the removal of rooflights in the south east elevation of the extension, the insertion of a window in the side gable, and the provision of three parking spaces. As the nature of the concerns of those who would normally have been consulted on these amendments are clear from the consultation on the application proposal, I do not consider that their interests would be prejudiced if I take this plan into account. I shall therefore determine the appeal on the basis of the plans referred to in the decision notice as well as Plan No 8EC/P/Z Revision F submitted as part of the appeal.

Main Issues

3. The main issues in this appeal are the effect of the development on (i) the character and appearance of the host dwelling and the area (ii) on the living conditions of the occupiers of the neighbouring property No 25 Birch Drive and (iii) highway safety.

Reasons

Character and Appearance

4. The appeal property, (No 8), a semi-detached bungalow, is sited in a corner location at the end of Elm Close, a cul-de-sac located on a residential development. The development as a whole has a mixture of two storey detached dwellings and bungalows and Elm Close has detached two storey dwellings on one side of the cul-de-sac and single storey development on the opposite side. On my site visit I noted that there did not appear to be many extensions to the original form and design of the dwellings, nor did there

appear to be any dormer windows or roof extensions to other bungalows within the immediate area. There is a sense of coherence and regularity to the development within the estate which gives an attractive uniformity to the area.

5. The proposal would occupy a large part of the side garden between the dwelling and the boundary fence. It would be a sizeable addition and would result in a large dwelling, almost doubling its size. The alterations to the roof would significantly increase the mass of the dwelling and would result in an extension which would appear bulky and disproportionate. Due to its corner plot location, views of the extension would be limited. However, the introduction of the dormer window and the raising of the roof ridge would introduce features which would increase the mass of the dwelling and would be unsympathetic and out of keeping with the appearance of the existing bungalow and the roof profiles found generally in this area. As such I consider that the proposal would result in an incongruous addition which would harm the character and appearance of the host dwelling, and the area.
6. My attention has been drawn to a recently approved extension at No 15 Elm Close, opposite to No 8, which allows for dormer windows at the front and rear of the property. I do not have full particulars of this proposal, which I note has not yet been implemented. However, No 15 Elm Close is a detached two storey dwelling, and the proposal would not include a raising of the roof height beyond the ridge. As such it seems to me to be a different proposal to the one before me and not one with which I can easily draw direct comparisons in any event. As such I place limited weight on this matter.
7. I therefore conclude that on this issue, the proposal would cause unacceptable harm to the character and appearance of the host dwelling and the area. Of the policies put to me by the Council I consider Policies CS15 of the Babergh Core Strategy and Policies (2014) (Core Strategy) and Saved Policies CN01, LP03 and HS33 of the Babergh Local Plan (2006) (Local Plan) to be the most relevant, and find that the proposal would fail to be in keeping with the size, scale and form of adjacent development nor make a positive contribution to the area. It would also be contrary to guidance within the National Planning Policy Framework which seeks to secure development to be sympathetic to local character.

Living Conditions

8. The Council's concern relates to the inclusion of roof lights within the south east elevation of the extension which would face the property, 25 Birch Drive, sited to the rear of No 8. The incorporation of roof lights into this elevation would detract from the levels of privacy currently enjoyed by the occupants of No 25 Birch Drive and would lead to a perception of overlooking. However, the removal of the rooflights proposed within the revised plan now submitted would not affect the current levels of privacy now enjoyed by the occupier of the neighbouring property and the concerns expressed by the Council within the Officer report would be satisfied. As such, on this issue the proposal would not cause unacceptable harm to the amenity of the occupiers of neighbouring properties and as such would be in accordance with Saved Policies HS33 and LP03 of the Local Plan which requires development not to reduce the level of amenity enjoyed by the occupiers of neighbouring properties.

Highway Safety

9. The proposed extension would increase the number of bedrooms at No 8 from two to four. Under the Suffolk Guidance for Parking (2019) three parking spaces should be provided for a four bedroomed dwelling. There is no evidence before me that there are any vehicle parking problems in this area that raises concern about the safety of highway users and the size of the corner plot is such that it could accommodate two vehicles parking in front of the proposed extension. I also noted on my site visit that it would be possible to park a small vehicle clear of the footway on the area of the garden in front of the existing dwelling. Whilst no technical drawings are before me showing the manoeuvrability of vehicles to and from these parking spaces these details together with a scheme for parking could be secured by through the use of a condition. As such the development would accord with Policy TP15 of the Local Plan which requires development to provide parking in accordance with approved parking standards.

Other Matter

10. The appellant raises concern about the lack of communication and the Council's handling of the application, but this is not a matter before me, nor does it alter my findings.

Conclusion

11. I have found that the proposal would not have an unacceptable harmful effect on the living conditions of the occupiers of neighbouring properties, nor highway safety. However the proposal would have a harmful effect on the character and appearance of the host dwelling and the area. Accordingly I dismiss the appeal.

K Winnard

INSPECTOR