



Appeal Decision

Site visit made on 19 October 2023

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2023

Appeal Ref: APP/F3545/D/23/3326696

Crowlands Chapel Lane, Brockley, Suffolk 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 S Turrell against the decision of West Suffolk Council.
 - The application Ref DC/23/0174/HH dated 3 February 2023, was refused by notice dated 25 May 2023.
 - The development proposed is Householder planning application - a. two storey side extension b. extension of dormer to side elevation c. detached garage.
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Decision

1. The appeal is dismissed insofar as it relates to the proposed two storey side extension.
2. The appeal is allowed insofar as it relates to the extension of dormer to side elevation and detached garage and planning permission is granted for extension of dormer to side elevation and detached garage at Crowlands Chapel Lane, Brockley, Suffolk IP29 4AS in accordance with the terms of the application, Ref DC/23/0174/HH dated 3 February 2023, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 125-100 Rev P02; Proposed Plans & Elevations 125-310 Rev P11; and Proposed Block Plan 125-101-Rev P03.
 - 3) The materials to be used in the construction of the extension of dormer to side elevation and detached garage hereby permitted shall match those used in the existing building.
 - 4) The extension of dormer window hereby permitted shall be fitted with obscured glazing at the time of occupation. Once installed the obscured glazing shall be retained thereafter.

Procedural Matters

3. The Council changed the description of development from that stated on the application form. I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted an amended description in

the heading above. The amended description is also used within the Appellants Grounds of Appeal.

4. Amended plans were submitted prior to the application's determination revising the design of the proposed two storey side extension: Proposed Plans & Elevations 125-310 Rev P11; and Proposed Block Plan 125-101-Rev P03. The Council considered these in the determining of the proposed development, I have based my decision on the amended plans.
5. Since the submission of the appeal the National Planning Policy Framework (2021) has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issues

6. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the area; and (ii) the living conditions of occupiers of Speeds House.

Reasons

Character & Appearance

7. The site is a detached two storey property, set back from the highway within a predominantly residential area. Properties in the area are varied in terms of design and form. The proposed extension of dormer to side elevation would increase the side of the existing dormer located on the side elevation, notwithstanding this the extension would be a discrete addition to the property.
8. The proposed detached garage whilst large and located in front of the property, is screened to a degree by existing mature landscaping. The garage would be relatively unobtrusive in the streetscene and due to the staggered building forms in the area would not be out of keeping with the area.
9. The proposed two storey side extension whilst proposed lower than the existing property would substantially increase the mass and bulk of the existing property, creating a disproportionate and incongruous addition to the property. The two storey side extension would not be subservient to the existing property and would almost fill the width of the plot. Whilst the existing single storey garage occupies some of the floor space of the proposed extension by virtue of its scale and design it does not appear out of place. The design of the proposed extension appears disjointed and at odds with the existing property.
10. I find that the proposed extension of dormer to side elevation and detached garage would not harm the character and appearance of the area. Notwithstanding this I find that the proposed two storey side extension would harm the character and appearance of the area in general. There is conflict with Policies DM2, DM5 and DM24 of the Forest Heath and St Edmundsbury Local Plan, Joint Development Management Policies Document (2015) (the Local Plan) and Policy CS3 of the St Edmundsbury Core Strategy (2010) which seek amongst other things to ensure developments are high quality, which respect the prevailing character, scale and design of the locality.

11. There is also conflict with the Framework which seeks amongst other things to ensure developments are of good design.

Living Conditions

12. The Council did not raise concerns with regard to the proposed detached garage and extension of dormer in terms of the effect on living conditions of occupiers of neighbouring properties, subject to obscure glazing to the extension of dormer window, which can be controlled through a planning condition. From the information I have before me I do not disagree.
13. The appeal site is a set back on the plot with a large flat roof garage close to the shared boundary. The proposed development would introduce a substantial two storey side extension nearer to the shared boundary with the property to the south, Speeds House.
14. Substantial landscaping exists between the adjacent properties and the proposed development has been revised to reduce the scale of the extension. Notwithstanding this due to the set back on the plot in comparison to Speeds House the proposed extension would be overbearing and prominent to the occupiers of adjacent property.
15. I find that the proposed two storey side extension would harm the living conditions of the occupiers of Speeds House. There is conflict with Policies DM2 and DM24 of the Local Plan which amongst other things seek to ensure developments will not adversely affect the residential amenity of occupants of nearby properties.
16. There is also conflict with the Framework which seeks to ensure developments have high standards of amenity for existing and future users.
17. The Council contend in reason for refusal No. 2 that the proposed development is contrary to Policy DM5 of the Local Plan in terms of the effect of the development on the living conditions of occupiers of Speeds House, I disagree. Policy DM5 relates to development in the countryside which does not reference the effect on neighbouring properties.

Conclusion

18. For the reasons given above, I find the proposed detached garage and extension of dormer is clearly severable both physically and functionally from the proposed two storey side extension. I conclude that the appeal should succeed in relation to the extension of dormer to side elevation and detached garage. However, in relation to the proposed two storey side extension, the appeal should be dismissed.
19. In respect of the extension of dormer and detached garage I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added conditions concerning materials to ensure a satisfactory appearance. I have imposed a condition requiring obscure glazing to the dormer extension to protect the living condition of the neighbouring property.

C Pipe

INSPECTOR