
Appeal Decision

Site visit made on 25 October 2023

by H Lock BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06.11.2023

Appeal Ref: APP/F3545/D/23/3329849

145 Westley Road, Bury St. Edmunds, Suffolk, IP33 3SE

- 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 Dr & Mrs Alan Canter against the decision of West Suffolk Council.
 - The application Ref. DC/23/0615/HH, dated 17 April 2023, was refused by notice dated 12 July 2023.
 - The development proposed is first floor extension to create two bedrooms, shower room and storage together with internal alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Within the appellants' appeal statement it is advised that the proposed hip roof was a mechanism for responding to the Planning Officer's comments and that the appellants would be content with the original application drawings being considered in the appeal. However, the introduction of revised plans is beyond the scope of a Householder planning appeal, and as such I have determined this appeal on the basis of the plans upon which the Council made its decision.

Main Issues

3. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property and the wider area; and (2) the living conditions of occupants of 143 Westley Road, with particular reference to outlook.

Reasons

Character and Appearance

4. The appeal property is a detached house located in a stretch of housing on the southern side of Westley Road. Many of the dwellings on this side of the road have been extended and have a wide footprint, but nevertheless appear spacious on their plots, in part due to the more compact first-floor accommodation. The appeal property shares this building form, with a recessed link to ground-floor rooms and a garage to the side, and a more limited first-floor. As a result, despite the wide and elongated layouts of dwellings in the vicinity, there is a characteristic sense of space in the street scene.

5. There is more consistency in dwelling style on the southern side of the road compared to the more individually designed and sporadic properties on the northern side. Roof forms on the southern side are primarily gabled, particularly at first-floor level.
6. The proposed first-floor extension would be built over much of the existing recessed ground-floor side wing, and in this regard I agree with the appellants' view that it would be subordinate to the principal house form. However, it would nevertheless be a sizeable addition to the property. The amount of built form at first-floor level would be significant and the proposal would appear unduly dominant on the property and in the street scene.
7. I accept that diversity is not inevitably incongruous, and there are a mix of extension designs in the vicinity. However, in this case, the proposal would result in a significant two-storey width and bulk which would not reflect the prevailing scale and form of dwellings in the street scene. In addition, whilst not 'inelegant', the dwelling would have an overly complex mix of roof forms and heights, and the design would emphasise the sprawling footprint. Although the proposed hipped roofs would reduce the first-floor bulk, they are an uncharacteristic form in the immediate vicinity. Retaining a single-storey garage with a new hipped roof would not be sufficient to mitigate the increased bulk.
8. As a result, the proposal would conflict with the requirement in Policy DM24 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (LP), for extensions to dwellings to respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area.
9. The proposal would reinstate a four-bedroom layout. Whilst this would provide some benefits to current and future occupants of the property, it would not outweigh the visual impact of providing the additional space in the layout and form proposed.
10. I therefore conclude that the proposal would detract from the character and appearance of the appeal property and the wider area, contrary to the aim to create a high quality environment informed by an understanding of the local context set out in Policy CS3 of the St Edmundsbury Core Strategy 2010. It would also conflict with LP Policy DM24, but also LP Policy DM2, which amongst other criteria requires development to recognise and address the key features, characteristics, local distinctiveness and special qualities of the area and/or building, and to maintain or create a sense of place and/or local character.
11. The above policies are consistent with the National Planning Policy Framework (the Framework), which seeks to ensure that developments are visually attractive and sympathetic to local character, including the surrounding built environment.

Living Conditions

12. The proposed extension would be no closer to 143 Westley Road (No.143) than the existing building, but according to the appellant the first-floor side wall of the extension would be sited some 8m from the side-facing first-floor bedroom window of No.143. This is stated as being the only window to that habitable room.

13. The relative positions of No. 143 and the appeal property means that this bedroom window is likely to retain much of its existing outlook. The proposed extension would be visible from the bedroom window, but this in itself would not cause material harm. Whilst the outlook would be different, I am not convinced that the extension would be so close as to be overbearing and oppressive.
14. I have had regard to the other matters raised by the neighbouring resident, but do not find that the proposal would give rise to material overlooking and loss of privacy given the separation distance. Moreover, with the existence of other first-floor windows in this residential area, a degree of mutual overlooking is not unexpected.
15. I therefore conclude that the proposal would not result in harm to the outlook for occupants of 143 Westley Road to a degree that living conditions would be harmed. In this regard, the proposal would accord with LP Policies DM2 g.v. & g.vi, and DM24 c), and the requirement in the Framework to create places with a high standard of amenity for existing and future users. However, this does not alter my conclusion on the first main issue.

Other Matters

16. In response to consultation, St Edmundsbury Town Council supported the application. However, public consultation is only one aspect to be taken into account in assessing a proposal, and in this case I have found the development to be unacceptable for the reasons outlined above.

Conclusion

17. For the above reasons, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR