



Appeal Decision

Site visit made on 7 February 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/F3545/D/23/3331360

East House, 6 King's Park, Chedburgh, IP29 4TY

- 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 and Mrs Jackson against the decision of West Suffolk Council.
 - The application Ref DC/21/2404/HH dated 7 December 2021, was refused by notice dated 28 July 2023.
 - The development proposed is a. two storey front/side extensions, b. porch extension, c. single storey side and rear extension (to form a link between the existing garage and dwelling), d. partial conversion of garage.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have utilised the Council's description of the development as per the decision notice as I feel it more concisely describes the development.
3. Since the determination of the application a revised National Planning Policy Framework 2023 (the Framework) was adopted on 5 September 2023. The appeal was, however, submitted after this date on 15 October 2023. In addition the National Planning Policy Framework was again revised in response to the Levelling-Up and Regeneration Bill: reforms to national planning policy consultation on 19 December 2023. The refusal reason references the Framework however, it is not considered that this latest revision impacts upon the determination of this appeal given the main changes to the Framework and the main issue before me.
4. There are several elements to the appeal proposal as outlined within the description above. The refusal reason is specific to the proposed two storey extension to the front elevation of the host dwelling. The Council have raised no reason for refusal on the proposed porch element, partial garage conversion or the single storey side and rear extension. Based upon my site visit, and the information before me, I have no reason to conclude differently on these elements with regard to character, appearance or neighbouring amenity. For the avoidance of doubt this appeal will focus upon the proposed two storey extension to the front elevation in the context of the main issue outlined below.
5. I note that revised plans were submitted during the application process, however, the Council appear to have based their decision upon plans which are inconsistent as a result of the amendments. The appellant highlights that all of the amended plans show the proposed extension to the front flank to be in the region of 1.6m, however, a revised drawing of the west elevation was not

uploaded by the Council. As far as I can see, from the Council's plan list within the decision notice, four revised plans were received after the original documents (original documents stated to have been received on 8 December 2021).

6. The revised plans include 109-21/P/50/D (proposed elevations (north and east), 109-21-P/01/B (proposed block plan), 109-21/P/02/A (proposed ground floor plan) (all 25 April 2022) and 109-21/P/03/B (proposed first floor plan) (26 April 2022). It is clear, from the plans before me, that the appellant took steps to reduce the scale of the proposed two storey extension to in the region of 1.6m. Despite this a decision was made, by the Council, upon mismatched plans and I do not, at this stage, have a full set of drawings consistently demonstrating the proposal to the amended depth of 1.6m for all elevations.

Main Issue

7. The main issue is the impact of the proposal upon the character and appearance of the host dwelling and the immediate surrounding area.

Reasons

8. The appeal site is a two storey, detached, dwelling located within Kings Park which is accessed off a small cul-de-sac and is located adjacent to open fields (which are not open to the public). I found at the time of my site visit that whilst some views of the front elevation of the host dwelling are available from the access they are, more generally, limited within the setting of King's Park as a result of layout, orientation and general site features such as trees and vegetation. There are several elements to the appeal proposal including a proposed two storey extension to the front elevation.
9. The appeal site is slightly set back from 7 Kings Park and at an angle. As outlined above I find that the general views of the front of the appeal site would be generally more limited which, in turn, reduces the impact the proposal would have upon the appearance of the immediate surrounding area other than from neighbouring properties. The proposed extension would be based upon a traditional pitched roof element with matching materials. The Council raise no direct issue with the design in principle (i.e., a pitched roof and matching materials) noting it to be an improvement when compared to the original proposal. I find that the design approach, and materials, in general would be appropriate to the appearance of the host dwelling itself in basic terms when not taking into account the scale of the proposal which is discussed further below. It should be kept in mind that character and appearance are separate matters - appearance is the outward, visible, qualities whereas character is the sum of all the qualities which distinguish an area.
10. The Council's main concern, outlined within their assessment of the proposal, appears to be limited to scale and depth of the proposal in terms of character. From my site visit, and the appellant's submissions, I note that there is some variation as to house types within the wider development of Kings Park but despite this I found that the dwellings in the immediate vicinity of the appeal site do share strong design characteristics. Whilst the appellant's statement notes non-regular layout within King's Park, which is acknowledged, no evidence of home-owner extensions to properties, or evolution, over the passage of time have been provided to support the claimed variations as a result of general extensions.

11. I note that there is some limited variation such as, for example, an adjoining garage at 7 Kings Park as well as variations in terms of materials/finish/colours as noted within the appellant's statement. In these cases, however, I find that it is the changes in materials and colours within the varying dwellings respectively which have been used to create the more bespoke finish that was noted within the original sales details. There is no strong lack of conformity in the vicinity of the appeal site, and I find that there is notable consistency in design, scale (particularly in relation to the gable projection) and general appearance when considering the dwellings adjacent to the appeal site.
12. Whilst the appeal site may be the only "Cavenham" dwelling I find that, without the adjoining garage, the "Chevington" house design (of which 5 and 7 Kings Park are) shares strong design characteristics. When stood on the driveway of the appeal site I viewed the front elevations of 7 and 5 Kings Park respectively. I found that, aside from the garaging to the side, these two properties are largely reflective of the design of the host dwelling at the appeal site. All three dwellings (what I would call the core of the dwellings in question) have a similar depth gable projection and share the same fenestration location and design, front dormer, skylights and canopy porch regardless of their respective finishes in terms of materials or colour.
13. I find that the three dwellings in question in this part of King's Park share notable characteristics in terms of their physical built form and features. The proposed two storey extension would be of a depth that would not respect the character and massing of the locality when taking into account dwellings in the vicinity. The proposal would add depth to the existing gable projection and would result in a front extension that would appear out of character for both the host dwelling as well as within the context of the neighbouring dwellings. The proposal would, therefore, result in an extension which would be uncharacteristic for the host dwelling and the immediate surrounding area.
14. I note that the proposals were designed by a qualified Architect and that the scheme was amended at the request of the Council, however, this does not in this case make the proposals acceptable in terms of the character of the area taking into account the dwellings within the vicinity for the reasons I have outlined above. Given that character and appearance are separate matters, limited visibility does not in this case overcome the issues which have been identified with regard to the extension being uncharacteristic. I note the appellant's reasoning for the extension including more space, better thermal insulation, storage and light, however, these do not overcome the issues I have found with the proposal with regard to the character of the surrounding area.
15. I note the lack of specific appraisal against some elements of the policies which are referenced within the Council's reason for refusal, however, I have assessed the proposal upon its own merits against the policies stated. A lack of objection from the Highways Authority is noted, however, does not outweigh the conflict as to scale and character. The proposal would be contrary to Joint Development Management Policies Document 2015 (LP) Policy DM2 which requires proposals to produce designs that respect the character and massing of the locality and LP Policy DM24 which requires extensions to existing dwellings to respect the character, scale and design of existing dwellings and the character of the surrounding area.

16. The refusal reason references paragraph 134 of the Framework, which is now paragraph 139 in the latest revision, as outlined in procedural matters above. In this case there are/is no local design guidance or supplementary planning documents noted to be of relevance to the proposal. Despite this I would note that paragraph 135, of the Framework, confirms that planning decisions should ensure that developments are sympathetic to local character including the surrounding built environment and, in this case, I find the proposal would be contrary to this objective having regard for the design features and style of the appeal site and adjacent properties as I have outlined.

Other Matters

17. I note that there are third party objections to the proposal, and I have dealt with those relating to character and appearance within the main body of this decision letter above. There would, evidently, be some increased traffic during construction but this would be short term in the context of a householder extension which does not warrant a reason for refusal. Impact upon property values is not a material consideration and I do not find, in this case, that reasoning/justification has to be given by the appellant in relation to the proposed works to extend and/or alter the host dwelling.
18. The refusal reason, stated by the Council, is not concise and I do not consider that it is necessary or appropriate to replicate policy wording within a refusal reason nor outline justification, which should be contained within a delegated report, with the stated reason. In this case, the wording could have been reduced to a single paragraph. I find that reference to Core Strategy Policy CS3 is of limited relevance to a householder extension in this case albeit I note that it requires that which seeks that proposals should have regard for local context.
19. I note comments regarding the handling of the application including the lack of a detailed site visit, the length of time the application took and amendments/comprises made. Such matters are, however, outside the scope of the appeal which is before me, and the appeal is not accompanied by an application for costs in this case.

Conclusion

20. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR