

SOUTH PLANNING COMMITTEE – 25 JUNE 2019

DC/19/1391/FUL

EXPIRY DATE: 02 JUNE 2019

HOUSEHOLDER APPLICATION

APPLICANT: MR & MRS BARKER

67 HOLLY ROAD, KESGRAVE

Erection of single storey front, side and rear extensions (rear extension to have attic accommodation) part implementation of planning permission DC/17/2437/FUL.

CASE OFFICER: Joe Blackmore

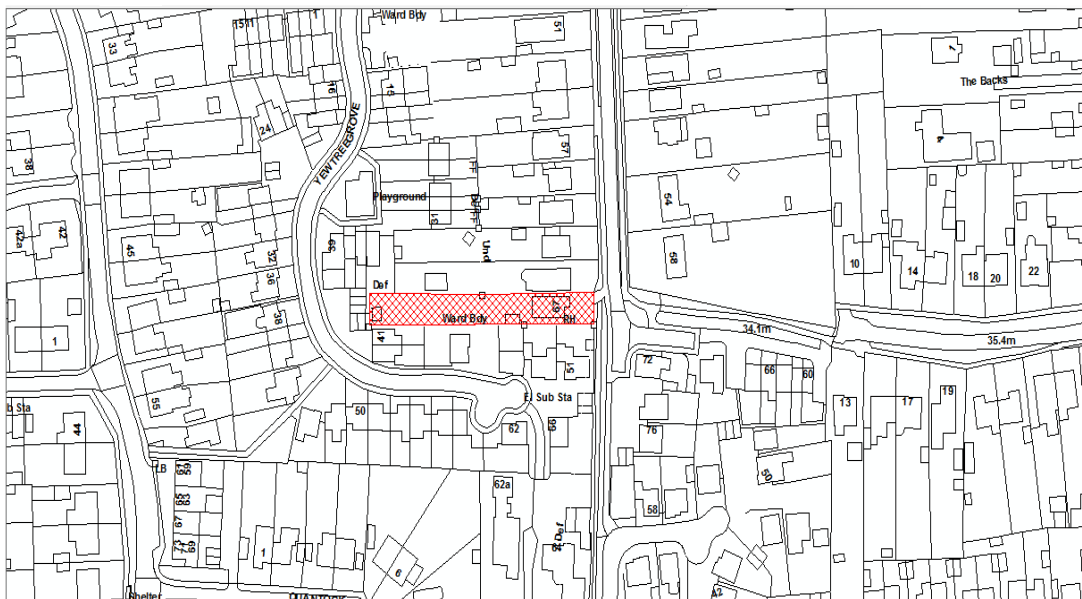
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DC/19/1391/FUL – 67 Holly Road, Kesgrave

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1 EXECUTIVE SUMMARY

The application seeks planning permission to extend the bungalow at 67 Holly Road. The application is submitted on the basis that the proposal would be a “part implementation” of a larger scheme of extensions already approved under DC/17/2437/FUL. However, as this is a standalone application, the submitted proposal has to be assessed on its own merit – and not as a component part of any previous approval. Assessed in this manner, the proposed extension to the property is considered to be poor design that would dominate the existing dwelling. It would also be harmful to the visual amenity of surrounding residential properties.

The application is brought to Committee through the Referral Panel due to the complex history associated with this site and that the earlier application was considered by the Planning Committee.

The proposal is thus considered to be contrary to Development Plan policies DM21 (Design: Aesthetics) and DM23 (Residential Amenity) and is therefore recommended for refusal.

2 SITE DESCRIPTION AND RELEVANT PLANNING HISTORY

- 2.1 The application site lies to the southern end of Holly Road and falls within the Kesgrave physical limits boundary. The site is narrow and rectangular, stretching a considerable distance to the west. To the front portion of the site is a small detached bungalow constructed of red brick with a dual-pitched roof. To the north, at 65 Holly Road, is a larger chalet bungalow that sits in a slightly elevated position above the application site. To the south of the site is a terrace of small bungalows at Yewtree Grove which back onto the site boundary. These bungalows are very modest in scale and have short rear gardens. There is a large hedgerow to the front of the site, behind which a public right of way runs in a north-south direction; relatively unobstructed and up-close views of the front of the site are permissible from the entrance to this right of way.
- 2.2 A previous planning application (ref. DC/17/2437/FUL) was submitted seeking permission for extensive re-modelling of the existing bungalow including extensions to the front and rear along with a roof height increase to provide attic accommodation. The result of that re-modelling scheme being: to enlarge the dwelling to a one-and-a-half storey scale, with the overall roof height increasing by over 2 metres. That application was refused by the Planning Committee for two reasons, summarised as:
- 1) The proposed height and depth increase would create a mass of roof slope that would dominate the rear outlook from the properties to the South at Yewtree Grove; an unacceptable adverse amenity impact contrary to policy DM23.
 - 2) The extended dwelling would be significantly larger and taller than the small bungalows to the south at Yewtree Grove; a poor physical relationship to its surroundings that represents a form of unneighbourly development contrary to the design objectives of policy DM21.

- 2.3 The refusal of planning permission was subject of an appeal to the Planning Inspectorate. The Inspector allowed the development on appeal concluding that the proposal would be acceptable with regard to: impact on living conditions of neighbouring residents; and also the character and appearance of the area. A copy of the appeal decision is appended to this report.
- 2.4 The fall-back position at the site, therefore, is a much larger and comprehensive re-modelling of the property to provide a one-and-a-half storey dwelling ("the approved scheme"). Visual details of this extant approved scheme will be provided to members within the officer presentation.

3 PROPOSAL

- 3.1 The proposed development is described by the applicant as a part-implementation of the approved scheme. The applicant has verbally explained that there is a civil right to light injunction obtained by the neighbour at 65 Holly Road that now impacts their ability to build out the approved scheme to completion. The application therefore proposes a reduced scheme: a one-and-a-half storey rear extension to the bungalow, along with a single storey front extension. Essentially, this application omits extensions above the existing bungalow and the first floor element of the front extension.
- 3.2 The existing bungalow has a ridge height of 4.7 metres. The proposed rear extension would reach a height of 7.01 metres comprising a mix of hipped and dual-pitched roof forms. The proposed front extension would have a standard dual-pitched roof set below the main ridge, reaching a height of 4.14 metres.
- 3.3 The extensions would be clad in a mix of rendered panels and vertical boarding. Windows and doors would be dark grey aluminium units. The overall materials palette is contemporary as was previously approved.

4 CONSULTATIONS/COMMENTS

- 4.1 Kesgrave Town Council: *"Refusal – The Chairman of the committee had the deciding vote (4 members present, 2 voted for 2 voted against). Objected by the Chairman as stated contrary to DM7 – over development of the site and DM21 – poor design."*
- 4.2 Suffolk County Public Rights of Way Team: No comments received.
- 4.3 Third Party Representations:- two letters of objection that raise the following key issues (inter alia):
- Extended property would be too large;
 - Will result in a loss of privacy at 45 Yewtree Grove;
 - A cramped form of overdevelopment;
 - Extension to rear of property will adversely affect amenity at 65 Holly Road;
 - It will be a huge overbearing presence that will tower over the conservatory at 65 Holly Road; and
 - Will cause shading to the patio, conservatory and rear rooms at 65 Holly Road.

5 PUBLICITY

5.1 The application has been subject of the following advertisement in the press:

Category	Publication date	Expiry	Publication
Public Right of Way affected	11.04.2019	07.05.2019	East Anglian Daily Times

6 SITE NOTICES

6.1 The following site notice(s) have been displayed at the site:

Site Notice Type	Reason	Date Posted	Expiry Date
General	In the Vicinity of Public Right of Way	12.04.2019	08.05.2019

7 PLANNING POLICY

7.1 National Planning Policy Framework (2019)

7.2 Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (adopted July 2013) policies:

SP1 – Sustainable Development

SP1a – Presumption in Favour of Sustainable Development

SP15 – Landscape and Townscape

DM21 – Design: Aesthetics

DM23 – Residential Amenity

7.3 Supplementary Planning Guidance 16: House Alterations & Extensions

8 PLANNING CONSIDERATIONS

8.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant planning policies are set out in section 7 of this report and therefore in order for the development proposal to be acceptable it must accord with those policies.

8.2 First, it is critical to set out that any right-to-light issue between the applicant and neighbouring property is entirely a civil matter that is not a material planning consideration. It is also separate to how Local Planning Authorities must consider the impact of development on access to daylight and sunlight.

8.3 Second, it is essential to understand that this is a standalone planning application that must be assessed on its own merit. Whilst the applicant refers to it being “phase I” of the approved scheme, should planning permission be granted for this proposal there is no

guarantee, or justifiable mechanism to require the implementation of the rest of the approved scheme – because that is a separate planning permission in its own right. A grant of planning permission for the development proposal before members could result in the proposed scheme shown on the submitted drawings being built to completion with no other works undertaken; it is the acceptability of that which is assessed in the following sections.

- 8.4 Whilst this application must be considered on its own merit, it is a material consideration that the approved scheme is an extant planning permission which would allow a much larger and, overall, more comprehensive set of extensions to the existing dwelling. This is the fall-back position and any civil matter that may currently prevent it being built to completion is just that: a civil matter – and does not reduce the weight that should be given to the extant approved scheme as a material consideration, in planning terms.
- 8.5 The main issues to consider with this proposal relate to the design of development and the impact on living conditions of neighbouring residents. The key policies being DM21 and DM23; both are supplemented by the guidance in supplementary planning document 16: House Alterations and Extensions.

Design of Development

- 8.6 Design policy DM21 requires that development proposals relate well to the scale and character of their surroundings with particular regard to siting, height, massing and form. Furthermore, extensions should generally respect the character and form of the existing building.
- 8.7 The proposed front extension is a modest, single storey addition well-related to the existing bungalow. The roof form follows existing and is set lower than the main ridge. The front extension is considered to be a recessive and well designed addition in accordance with DM21.
- 8.8 The proposed rear extension is one-and-a-half storeys in scale, and over 2 metres taller than the existing bungalow. The extension would completely dominate the bungalow and present as an oversized addition to what is a modest building. It is highly unorthodox for a rear extension to be substantially taller than an existing dwelling, and this is not a unique, innovative proposal that would justify such an approach.
- 8.9 It is not uncommon in the Kesgrave area to see bungalows comprehensively re-modelled to one-and-a-half or even two-storeys in scale. In that context, the approved scheme is a coherent design approach to comprehensively extend the bungalow in a manner well-related to its local context. However, it is not characteristic of the area to see double height rear extensions to bungalows and thus the proposed development would be poorly related to its local context.
- 8.10 Assessing the proposal on its own merit, it is contrary to the design objectives of DM21 and the guidance on the basic principles of good design contained within chapter 4 of Supplementary Planning Guidance 16: House Alterations & Extensions.

Impact on Living Conditions at Neighbouring Properties

- 8.11 65 Holly Road ("No.65") is a chalet dwelling which is on slightly higher ground than the application site. The proposal would result in the rear extension being of a similar height to No.65. The rear extension would project beyond the rear wall of this dwelling, including their conservatory. The Inspector noted in the allowed appeal that the effect of the extensions on the rear conservatory would be likely to be limited as this extends across most of the width of the adjacent dwelling. Officers consider that the proposed rear extension may cause a degree of shading to No.65 but that this would not be unacceptable. Furthermore, and with the approved scheme in mind, the proposed extension is a lesser quantum of overall development at the property and, if the approved scheme were built, it would likely have a greater amenity impact on No.65 than that proposed here.
- 8.12 The first floor window openings proposed are to the rear wall of the extension and thus no direct overlooking of neighbouring properties would be possible. No significant losses of privacy would likely arise.
- 8.13 The properties at Yewtree Grove are due south of the site and therefore the proposed extensions would not directly block their access to sunlight. The roof of the rear extension would be 10 metres or so away from the rear elevations of the properties at Yewtree Grove and, at this degree of separation and location due north, the extension would not be physically overbearing or oppressive to these properties.
- 8.14 However, if built, the existing bungalow would be dwarfed by the bulky rear extension proposed and the result would be an eyesore – particularly for residents to the south at Yewtree Grove whose rear outlook would include the side profile of the extended dwelling. Policy DM23 sets out that regard should be had to the outlook from neighbouring properties and, because of the poor design proposed here, that outlook from the south at Yewtree Grove would be unacceptably harmed.

9 CONCLUSION

- 9.1 The proposal is not a 'phase' of any extant approved scheme. It is a standalone application that must be considered on its own merit. Whilst the approved scheme is a material consideration, it is a comprehensive and generally well-designed scheme unlike the poor design now proposed. For the reasons given in this report, officers consider that the proposed development is poor design, harmful to local visual amenity and contrary to key Development Plan policies. Whilst acknowledged that there is a civil matter preventing the approved scheme being built to completion at this time, this is not a planning consideration and does not justify the proposed development. It is also acknowledged that the proposal would provide the applicant with the first floor bedroom accommodation they seek, however that is a fairly limited private benefit that does not overcome the concerns identified. Furthermore, there is considerable scope to extend at ground floor level and/or provide detached ancillary accommodation well-related to the dwelling which only adds to the concern with the current proposal.
- 9.2 For the reasons given, officers consider that the proposal is unacceptable and the planning application should be refused for the reasons set out in section 10.

10 RECOMMENDATION

10.1 It is recommended that planning permission be refused for the following reason:

- 1 East Suffolk Council – Suffolk Coastal Local Plan (Core Strategy & Development Management Policies, July 2013) policies DM21 and DM23 combine to support development proposals that are well-designed and would not adversely impact living conditions at neighbouring residential properties.

Because of the one-and-a-half storey scale and overall bulk of the rear extension proposed, it would dominate the existing bungalow and be poorly related to it. The proposal is poor design that would be out-of-character with its local context and, when viewed from the south at Yewtree Grove, it would be an eyesore - harmful to the rear outlook from those neighbouring properties.

The proposed development is therefore contrary to the objectives of policies DM21 (Design: Aesthetics) and DM23 (Residential Amenity), along with the design guidance set out in SPG16: House Alterations & Extensions and the NPPF.

BACKGROUND INFORMATION:

See application ref: DC/17/2437/FUL at:
<https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OR60MVQXFON00>

APPENDIX 1:

DC/17/2437/FUL: Appeal Decision (APPEAL ref. APP/J3530/D/17/3190835)