

Appeal Decision

Site visit made on 7 September 2016

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2016

Appeal Ref: APP/F2605/W/16/3152595

24 Trinity Close, Dereham, Norfolk NR19 2EP

- 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 Horton Farms Ltd against the decision of Breckland Council.
 - The application Ref 3PL/2016/0548/F, dated 4 May 2016, was refused by notice dated 8 June 2016.
 - The development proposed is a new attached single storey dwelling.
-

Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Horton Farms Ltd against Breckland Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is an open parcel of land between the side elevation of Number 24 Trinity Close and the pavement. It is currently planted up with a number of flowers and shrubs. The wider area is a development of terraced bungalows arranged around a cul-de-sac, set back from and mainly facing the road.
 5. The proposed development would bring built form almost to the back edge of the pavement. Whilst I accept that there is no uniformity of frontage depth in the street scene, there is a clear definition of buildings being set in from the back edge of the footway either from their front or side elevations. Furthermore, the parcel of land contributes positively to the open and spacious character of the street scene, specifically when read alongside land to the side of Nos 25 and 26 Trinity Close.
 6. Built development on this site would therefore have an enclosing and cluttering effect on the defined open character of the street scene which, as a result, would cause harm to the character and appearance of the area.
-

7. The proposed development would therefore be contrary to Policies DC 1 and DC 16 of the Core Strategy and DC Policies DPD¹. These Policies seek to ensure that, amongst other things and alongside section 7 of the Framework², new development is of a high quality and contextually appropriate design and has regard to the quality of the town scape and local character.
8. The Framework establishes that there is a presumption in favour of sustainable development; I also note that the Council cannot demonstrate a deliverable five year housing land supply. Indeed there are also some benefits to the proposed development such as the potential to create or sustain jobs in the local construction industry, the provision of a new dwelling and promoting development which has easy access to a range of local services. In addition, I am mindful that, in purely design and appearance terms, the proposed development would be acceptable.
9. Whilst making a positive contribution to the Council's supply, the proposed development would only be a single dwelling and as such would not make a strategic difference to it. The benefits and positive aspects of the proposed development, whilst clearly weighing in favour of it, would not be sufficient to outweigh the harm that would be caused to the character and appearance of the area. Furthermore, and since I have identified such harm and the proposed development would not accord with the Development Plan as a result, it would not be considered sustainable in any event.

Conclusion

10. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR

¹ Breckland Council Local Development Framework Core Strategy and Development Control Policies Development Plan Document 2001-2026 (2009)

² The National Planning Policy Framework (2012)
