
Appeal Decision

Site visit made on 3 October 2016

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 7th October 2016

Appeal Ref: APP/L2630/W/16/3153764

4 Brecon Road, Brooke, Norfolk NR15 1HS

- 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 Dennis Jeans against the decision of South Norfolk District Council.
 - The application Ref 2016/0775, dated 4 April 2016, was refused by notice dated 9 May 2016.
 - The development proposed is alterations to existing bungalow, demolition of garage, partial sub division of garden and erection of chalet style bungalow and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on:
 - The character and appearance of the area; and
 - The living conditions of the occupants of 4 Brecon Road with particular reference to sunlight and outlook.

Reasons

The effect on the character and appearance of the area

3. The appeal site is located in Brecon Road, a suburban street which is predominately characterised by detached houses and bungalows set back from the edge of the street behind large front gardens. The properties in Brecon Road tend to front the street and are generally set in discernable building lines and spacious plots. The appeal property is located at the southern end of a group of bungalows characterised by a similar architectural appearance, scale and plot size and layout. The appeal site is typical of the suburban character and appearance of the street and contributes positively to it.
 4. The appeal proposal is to erect a detached dwelling broadly in the position of the existing garage. The proposed dwelling would be two storeys in height with the first floor in the roof. It would be sited slightly behind the front elevation of the existing bungalow and close to the boundary with 2 Brecon Road. The rear garden would be sub-divided between the existing and proposed properties but the front garden would remain open and includes a vehicular turning area. A
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single garage would be erected to serve the new dwelling. Alterations to the existing bungalow are currently underway.

5. The proposed dwelling would be sited in a plot that would appear noticeably undersized when compared to others in the street, notably the row of bungalows to the north. The dwelling would be located discordantly close to the side boundaries of the plot and the shared front garden and access would be out of character with the arrangement and grain of other front gardens in Brecon Road. The proposed dwelling would have the appearance of having been squeezed into the space alongside the existing bungalow rather than being a natural and harmonious infill. This would harmfully dilute the continuity, rhythm and grain found in the layout of development in Brecon Road. The proposal would therefore harmfully detract from, and jar with, the more spacious character and appearance of development in the street and would thus appear as an incongruous addition in the street scene.
6. In coming to this view I note the appellant's analysis of the densities of residential groupings in the area. However, whilst the proposed density of development may have some similarities to groupings elsewhere, the proposal would nevertheless appear cramped when viewed alongside the spacious layout of the row of bungalows to the north of the appeal site for the reasons I have already outlined. As such, the density of the development does not justify its harmful overall impact.
7. Moreover, neither the retention of the hedge to the front of the site nor the 'ridge transition' suggested by the appellant would mitigate for the cramped appearance of the dwelling within its plot. This is because the hedge could fail or die in the medium to long term and the graduated height of the building would not directly alter the perception that the plot would appear too small and the building squeezed in.
8. Some properties in the vicinity of the appeal site have been extended close to their side boundaries, resulting in a reduced level of 'side isolation space'. However, the examples given by the appellant are largely subtle and subservient single storey extensions and not two storey houses. As such, the extended properties do not appear harmfully cramped in the same way the appeal scheme would.
9. I therefore conclude that the proposed development would harm the character and appearance of the area. Consequently, it would be at odds with Policy 2 of the Joint Core Strategy¹ (CS), Policies DM3.4, DM3.5 and DM3.8 of the DMP² and Section 3.4.1 of the South Norfolk Place Making Guide 2012, which together seek to secure developments that are of a high standard of design and respectful of the character and townscape of the local area.

The effect on living conditions

10. The Council are concerned that the proposed dwelling would harm the living conditions of the occupants of the existing bungalow through excessive shading and loss of outlook. It is common ground between the Council and appellant that the Shadow Analysis demonstrates there would be significant over shadowing of the existing bungalow during February and October mornings and

¹ 'Greater Norwich Development Partnership, Joint Core Strategy for Broadland, Norwich and South Norfolk adopted 2011 with amendments adopted 2014'

² 'South Norfolk Local Plan, Development Management Policies Document 2015'

in December. Whilst the Council has overstated the impact, I nevertheless share its conclusion that the over shadowing would be material and this weighs against the proposal.

11. Of more concern is the dominant and overbearing impact the new dwelling would have on the outlook from the bungalow. In particular, the aspect from Bedroom 3 which would be engulfed by the flank elevation of the proposed dwelling. Moreover, the parking for the new dwelling would adjoin the southern flank elevation of the bungalow. The movement of cars into and out of these spaces would be uncomfortably close to the bungalow and thus harmful to the living conditions of its occupants.
12. The appellant has suggested that future occupants of 4 Brecon Road would be aware of any affects caused by the proposed dwelling. However, the National Planning Policy Framework (the Framework) states that a good standard of amenity should be secured for all existing and future occupants of land and buildings. A 'buyers beware' concept is therefore incompatible with the Framework and not a robust reason to overlook the harm to the living conditions of the occupants of 4 Brecon Road.
13. I therefore conclude that the proposal would harm the living conditions of the occupants of 4 Brecon Road and would thus be contrary to Policy DM3.4, and DM3.5 of the DMP, which seek to secure development which would not have an unacceptable impact on the amenities of neighbouring occupiers.

Other Matters

14. The development would have an effect on the outlook of the first floor rear windows of 2 Brecon Road. I would need to see further evidence before I was satisfied this effect would be acceptable. Nevertheless, given my conclusions on the main issues it has not been necessary for me to consider this point further.
15. The Council have concluded that the proposal would, when applying Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, preserve or enhance the character or appearance of the conservation area and the setting of a listed building. I have no reason to disagree with these conclusions. The proposal would be a more efficient use of land but this would be at the expense of the character and appearance of the area. As such, I do not consider the proposal would be an effective use of land that could glean support from Paragraph 17 of the Framework.
16. The proposal would support the rural economy, housing supply and local facilities in the ways suggested by the appellant. However, given the modest scale of the development these benefits would be very limited and would not outweigh the harm I have identified and the subsequent conflict with the development plan. Accordingly, the proposal is not sustainable development for which the Framework carries a presumption in favour.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR