

Appeal Decision

Site visit made on 21 March 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 3rd April 2017

Appeal Ref: APP/L2630/W/16/3162455

2 Cantley Villas, Station Road, Spooner Row, Wymondham, NR18 9JR

- 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 P Dimoglou against the decision of South Norfolk District Council.
 - The application Ref 2016/1301, dated 22 May 2016, was refused by notice dated 1 August 2016.
 - The development proposed is the erection of two semi-detached dwellings, access and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the site address from the appeal form as this was more precise than the address given in the original application form.

Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the area and (ii) the living conditions of occupants at No 2 Cantley Villas with specific regard to external amenity space.

Reasons

Character and Appearance

4. The appeal site currently serves as the side garden area to No 2 Cantley Villas, a traditional semi-detached 2-storey dwelling. This building, along with No 1 is set back within the plot, away from Station Road, and is bounded by a tall and mature hedge.
 5. The wider area comprises of a number of residential dwellings of varied scale, form and positioning within their plots. Typically, however, dwellings are set in reasonably large gardens. The general pattern of development is therefore informal, giving rise to a spacious and rural character.
 6. The proposed dwellings would comprise of a pair of 2-storey 3-bed properties. These would be located in line with Nos 1 & 2 Cantley Villas, with a small single storey porch projection. An existing conservatory to No 2 would be demolished to accommodate the development.
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7. The dwelling has been designed to replicate the width of Cantley Villas. However, due to the siting of the proposed development within the plot in close proximity to neighbouring properties, the dwelling would fail to respond to the general pattern of development in respect of the more generous spacing between properties in the locality.
8. Specifically, there would be only around a 4.15m gap between No 2 and the proposed dwellings and a 3.65m gap between the development and the rear wing of Granary House. Furthermore, the front part of Granary House projects further sideways and as such, when viewed from Station Road, this gap would appear much smaller. The overall effect would therefore be a visibly cramped form of development which would be at odds with the general, more spacious character of the area, causing harm.
9. Based on the submitted plans, the approved pair of dwellings on this site¹ would be narrower in width which would result in a wider gap between No 2 and Granary House. The current proposals are therefore materially different to the approved scheme for the site.
10. The appellant contends that the design of the proposed development would be an enhancement over the approved scheme. However, I am not persuaded that the simple design of the proposed dwellings offers any particular architectural enhancements or interest over the approved scheme. In any case, due to their width, I find that the proposed dwelling would represent a conspicuous and harmful form of development in the street scene.
11. I also disagree that a previous Inspector² did not find harm in respect of a 4m gap between separate proposals for a pair of semi-detached dwellings and No 2. It is clear from the decision that the Inspector found that the proposals would fill a space which contributes positively to the character of the area and that the resultant loss of openness and a significant tightening of the urban grain would cause harm. In reaching such a finding, I consider that this related to the gaps between both The Granary and No 2. I note that the design of the development before me would be narrower than the previous appeal proposals, however I consider that the differences between the current scheme and the scheme before the previous Inspector would only be minimal and the proposals before me would still give rise to a cramped form of development.
12. Overall I conclude on this matter that the proposals would have an adverse impact upon the character and appearance of the area. The development therefore fails to accord with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) which seeks to promote good design through (amongst other things) respecting local distinctiveness and character. The development would also fail to accord with the South Norfolk Place Making Guide Supplementary Planning Document (SPD) which sets out a number of design principles.

Living Conditions

13. The development of the site for housing would lead to a significant reduction in the external amenity space at No 2. The SPD sets out a number of criteria in respect of what constitutes usable garden space and at my site visit I saw that

¹ Approval Reference: 2015/0319/F

² APP/L2630/W/15/3004735

the remaining garden would be south facing and would be able to be used in a typical fashion in terms of sitting out, play, clothes drying and for storage.

14. I am also mindful that the remaining area would not be too dissimilar to the amount of rear amenity space proposed for the new dwellings to which the Council did not raise any objection.
15. Overall, I am therefore satisfied that the external amenity space would be adequate and there would be no harm to the living conditions of the occupants of No 2. The development would therefore comply with the SPD as well as Policy DM3.13 of the South Norfolk Local Plan (LP) which seeks to restrict development where there would unreasonable impact on existing neighbouring occupants.

Other Matters

16. The appellant has raised concerns over the handling of the application by the Council in respect of a lack of proactive working to secure a positive outcome, as required by paragraph 187 of the Framework. However, this is a matter between parties and is not relevant to my determination of this appeal, based upon its planning merits.

Conclusion

17. I acknowledge that the proposed development is in a sustainable location and I have found that residential amenity would be preserved. I also note that the development would seek to incorporate 'green' technology.' These factors weigh in favour of the development. The appellant submits that the development would contribute to the supply of housing and that the creation of 2no 3-bed dwellings offers a better use of the land, over and above the consented scheme. However, in light of the existing extant consent on the site and without any specific evidence in respect of housing mix, the weight I can attach to this benefit is limited.
18. Overall I consider that the harm I have found in relation to character and appearance of the area would significantly and demonstrably outweigh the benefits of the development. The proposals cannot therefore be considered sustainable development for which the National Planning Policy Framework presumes in favour, in paragraph 14.
19. For the reasons given above, taking into account all other matters raised, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR