

Appeal Decision

Site visit made on 11 April 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 25 April 2017

Appeal Ref: APP/K2610/W/16/3162181

79 Hungate Street, Aylsham, Norfolk NR11 6EA

- 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 Jon Kirk against the decision of Broadland District Council.
 - The application Ref 20160855, dated 6 May 2016, was refused by notice dated 21 June 2016.
 - The development proposed is conversion of existing outbuilding to residential dwelling and new residential dwelling with garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the:
 - character and appearance of the area;
 - living conditions of the occupants of Nos 77 & 79 Hungate Street (Nos 77 & 79) with particular regard to noise and disturbance.

Reasons

Character and appearance

3. The appeal property is a detached bungalow set in a large L-shaped plot in a residential area characterised by dwellings of a variety of sizes, positioned varying distances from the road. The majority of the dwellings face Hungate Street and are set in relatively spacious plots. Thus, the area has a varied, yet formal and spacious character and appearance.
 4. Whilst the subdivision of the appeal property would leave it with a plot size comparable to other dwellings in the area it would result in two new dwellings with domestic curtilages much smaller than the majority of the plots in the area. Furthermore, both of the proposed dwellings would be set behind the appeal property with little or no road frontage. Although the proposed dwellings would not be significantly visible from the road the space between Nos 77 & 79 would afford glimpses of the development within the street scene.
 5. I acknowledge that the proposed dwellings have been designed to appeal to residents over the age of 65 and I have noted the appeal plot is larger than the
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majority of the plots nearby. I also note the outbuilding which would be converted is already in place.

6. However, the proposed dwellings, squeezed into small plots positioned close to their boundaries would appear noticeably cramped within their setting. Thus, the proposed development would erode the spacious character of the area and would result in a form of development which due to its lack of any significant street frontage would be inharmonious with the prevailing formal layout of development in the area.
7. The proposed development would therefore be harmful to the character and appearance of the area. It is therefore in conflict with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), Policy GC4 of the Development Management Development Plan Document (2015) (DMDPD) and the National Planning Policy Framework (the Framework) which, taken together, aim to ensure good design and that new development does not harm the character and appearance of an area.

Living conditions

8. No 77 Hungate Street has a window in its side elevation facing the appeal site and sits relatively close to the shared boundary. Furthermore, No 79 Hungate Street has two large windows in its side elevation adjacent to the proposed access drive.
9. I acknowledge that the existing driveway already results in vehicle movements close to the windows and the side elevations of Nos 77 & 79. However, the existing driveway would be extended to a new turning area in front of two new dwellings. This would significantly increase the number of vehicles passing by Nos 77 & 79 and introduce vehicles turning and vehicle doors being opened and closed close to the private outdoor spaces of Nos 77 & 79.
10. In my view, this significant increase in activity in such close proximity to the side elevations and private rear gardens of Nos 77 & 79 would be harmful to the living conditions of the occupants with particular regard to noise and disturbance.
11. For these reasons, the proposed development would therefore conflict with Policy GC4 of the DMDPD and the Framework which, taken together, aim to ensure new development does not harm the living conditions of nearby residents.

Other Matters

12. I acknowledge that the appeal site is located where services and facilities can be easily accessed by walking or cycling and which benefits from good public transport. I have also noted the benefits of the scheme particularly the provision of two new homes and the economic benefits associated with construction. However, these matters or any others raised do not outweigh the harm I have identified.
13. I have considered the comments with regard to the impact of the proposal in terms of exhaust fumes generated from vehicle movements. However, given traffic using roads nearby and the lack of any substantive evidence to demonstrate harm arising from such, I find that any such effects would be negligible.

Conclusion

14. For the reasons given above, having had regard to all other matters raised, I conclude that the proposal would not accord with the development plan and thus the appeal should be dismissed.

L Fleming

INSPECTOR