
Appeal Decision

Site visit made on 6 June 2017

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 12th June 2017

Appeal Ref: APP/K2610/W/17/3167666

The Rectory, 24 Brook Street, Buxton with Lamas, Norfolk NR10 5HF

- 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 M Marshall against the decision of Broadland District Council.
 - The application Ref 20160748, dated 25 April 2016, was refused by notice dated 16 November 2016.
 - The development proposed is single-storey side extension to side of existing house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the area, including its effect on a protected tree.

Reasons

3. The proposal is for a modest addition to an existing single-storey side extension to the house at 24 Brook Street. It fronts a road which runs north to south and the appeal dwelling is part of a frontage of a few modern detached houses in large, quite well-vegetated plots. Brook Street marks the western edge of the village. On the opposite side of the road to No 24 is the end of a terrace of small, traditional dwellings and to its rear is quite dense woodland on the fringes of a more extensive parkland landscape to the west.
4. No 24 serves as a rectory and the home of the vicar responsible for the Bure Valley Benefice, which comprises eight parish churches and chapels in the surrounding area. As well as providing a family home the property serves as the administration centre for the Benefice, which is run from the small study within the existing side addition. The extension would provide for a larger study to accommodate pastoral visits and include a separate WC for attendees. The design of this small addition to the study would be acceptable in respect of being in keeping with the character of the main house.
5. The Council's concern is that the development would require the removal of a large, mature sycamore tree which is situated within the grounds of the dwelling, just south of and around 4.5m from the existing extension. To retain this tree would require specially engineered pile and beam foundations as the proposal would extend into a large part of its root protection area. The sycamore would not likely withstand more conventional strip footings due to the extent of root loss.

6. The appellant finds such measures to be non-viable, including in particular the higher floor this would create which would cause problems in maintaining level access to and within the building to meet accessibility requirements. Hence the proposal seeks the removal of the sycamore and its replacement with three heavy standard trees elsewhere in the grounds.
7. The appeal property and those adjacent have a verdant setting and appear to have been built in quite well-wooded plots. The site within which No 24 stands, and those of the detached homes on either side, are covered by a group Tree Preservation Order¹ (TPO) made in 1978. This protects the trees within the defined area rather than identifying individual specimens. The existing sycamore is a tall, mature, triple-stemmed tree which has been assessed in the submitted Arboricultural Impact Assessment (AIA) as Category B, under British Standard 5837:2012², as being of a generally good condition, conferring landscape value and being suitable for retention in the context of the development.
8. I concur with the conclusion of the AIA and consider that this tree contributes strongly to the verdant setting of the housing in this location and helps provide a satisfactory visual gradation between the denser woodland to the west and the higher density and more intermittently wooded development in the main village to the east.
9. I understand the sycamore to be a non-native species which readily self-seeds and does not support the same richness of biodiversity as native species such as oaks. Nevertheless, this particular tree is a fine mature specimen that is both prominent in the street-scene and contributes strongly to the pleasantly verdant character and appearance of this part of the village.
10. The heavy standard replacements would take many years to grow to an equivalent size as this sycamore and would therefore not adequately compensate for its loss. The fact this tree forms part of a blanket TPO does not devalue its significance as an individual specimen, which is established in the AIA. Along with the other protected trees it helps filter the transition from the denser woodland to modern housing development along this side of the road. By helping to continue the topography of the tree canopy this sycamore contributes to moderating what would otherwise be a more stark visual contrast between the housing and woodland.
11. I have had regard to the support provided to this proposal from the local Ward Member and from the Buxton with Lamas Parish Council. However, whilst there is no doubt that the proposal would provide improved pastoral facilities at the rectory, I am not persuaded that these could not be secured in an accessible manner through a scheme which at the same time secured the retention of this protected tree.
12. The proposal would harm the character and appearance of the surroundings due to the loss of this tree. This would conflict with the aims of Policy EN2 of the Council's Development Management DPD³, in regard to protecting natural features which make a significant contribution towards defining the character of an area, and of Policy GC4 for proposals to pay adequate regard to the

¹ Tree Preservation Order 1978 No 6 (358)

² BSI Standards Publication BS 5837:2012 *Trees in relation to design, demolition and construction*.

³ Broadland District Council's Development Management Development Plan Document (DPD) adopted 2015.

environment, character and appearance of an area. These policies are generally consistent with the National Planning Policy Framework, including the requirement in paragraph 109 for the planning system to contribute to and enhance the natural and local environment.

Conclusion

13. For the reasons set out above, and having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

Jonathan Price

INSPECTOR