

Appeal Decision

Site visit made on 16 May 2017

by R A Exton Dip URP MRTPI

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

Decision date: 13th June 2017

Appeal Ref: APP/L2630/w/17/3170215

Site north of 2 Gilbert Close, Alington, Norwich NR14 7NX

- 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 Raymond Lincoln against the decision of South Norfolk District Council.
 - The application Ref 2016/2666, dated 11 November 2016, was refused by notice dated 6 January 2017.
 - The development proposed is demolition of domestic double garage and the erection of a small two storey affordable dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the surrounding area and, b) the living conditions of the occupants of No2 Gilbert Close, with particular regard to form of amenity space, and other neighbouring residents, with particular regard to overbearing effect.

Reasons

Character and appearance

3. The appeal site is most prominent in the context of development on the western side of Church Road to the north of Gilbert Close. Here, development is characterised by regularly spaced detached or linked dwellings situated in well sized plots. They are sited with their ridgelines parallel to the road along a staggered building line. Whilst the siting of the proposal would follow the established building line, its proximity, and the angle at which it would be sited, relative to No 2 Gilbert Close would give rise to a cramped appearance in comparison to surrounding development.
 4. The elevation of the proposed dwelling facing Church Road would have a different appearance to other dwellings in the vicinity due to its lower hipped roof, ridge perpendicular to the road, and dormer window arrangement. The combination of these two factors would result in a development that would fail to satisfy the requirements of Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (the JCS) and Policies 3.5 and 3.8 of the South Norfolk Local Plan Development Management Policies Document (the local plan) in protecting and enhancing locally distinctive character, all of which are
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generally consistent with the content of the National Planning Policy Framework (the Framework).

Living conditions

5. In its present form No 2 Gilbert Close occupies a very large plot in comparison to most other dwellings in the vicinity. Its subdivision to form the appeal site would result in No 2 retaining a plot still comparable in size to many others in the vicinity. There would be a driveway and turning area accessed off Gilbert Close and a more private patio area to the side and rear which, in the absence of any specific space standards, appear of adequate size to me. The patio area would not be overlooked by the proposed dwelling due to the high level and obscure glazed nature of first floor windows. Due to its separation, siting and height relative to the patio area I do not consider that the proposed dwelling would have an overbearing impact on the occupiers of No 2 either.
6. Due to its siting following the staggered building line to Church Road, the proposed dwelling would have a longer rear garden than some of the other dwellings fronting Church Road. I consider that this, combined with the also comparatively long rear garden of No 7 St Mary's Close would prevent any unacceptable overbearing impact on the occupiers of No 7. The set back position of the rear elevation of the proposed dwelling relative to the rear elevation of No 9 Church Road would avoid any unacceptable overbearing impact on its occupiers.
7. No 4 Gilbert Close appears to have 2 garden areas, which consist of one area in front of the former garage and another area in the north west corner of the plot. I consider that the separation distance and orientation of the proposed dwelling relative to both of these areas would avoid any unacceptable overbearing impact on occupiers. Consequently, the proposal would not conflict with Policies 3.5 or 3.13 of the local plan by causing an unacceptable impact on neighbouring occupiers. On this issue I have had limited regard to Policy 2 of the JCS as other than generally promoting good design it does not refer to effect of development on neighbouring residents.

Other Matters

8. I recognise the steps the appellant has taken through the pre-application service since a previous refusal on the site but as I have determined the appeal on its own merits based on the evidence before me this does not lead me to a different conclusion. I have no details of the site referred to in Upton and so do not consider that this forms any precedent that alters my conclusion either.
9. I note the appellant's reference to the council's lack of a 5 year housing land supply in accordance with paragraph 49 of the Framework and the aim of paragraph 47 of the Framework to significantly boost the supply of housing. The council has not submitted any evidence of the existence of a 5 year housing land supply and consequently I cannot conclude on this matter. If the council cannot demonstrate a 5 year housing land supply then the provisions of paragraph 14 of the Framework requiring planning permission to be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole apply. The proposal would deliver the benefits of a market affordable dwelling in what is a generally sustainable location. This would make a contribution, albeit very limited, to boosting the supply of housing as advocated by paragraph 47 of the

Framework. In this case however, I consider that the harm to character and appearance I have identified significantly and demonstrably outweighs these limited benefits.

Conclusion

10. Whilst I find no harm arising from the effect on the living conditions of neighbouring residents, the harm to the character and appearance of the surrounding area and the consequent conflict with the development plan provide sufficient reasons to justify a refusal of planning permission. The proposal would therefore fail to represent sustainable development in accordance with the Framework. In light of this, and taking all other matters raised into account I conclude that the appeal should be dismissed.

Richard Exton

INSPECTOR