

Appeal Decision

Site visit made on 21 June 2017

by H Lock BA(Hons) DipTP MRTPI

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

Decision date: 28 June 2017

Appeal Ref: APP/G2625/D/17/3172460

2 Brereton Close, NORWICH, NR5 8LX

- 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 Trivedi/DT Norfolk Property against the decision of Norwich City Council.
 - The application Ref. 17/00033/F, dated 3 January 2017, was refused by notice dated 1 March 2017.
 - The development proposed is annex to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (1) the character and appearance of the appeal property, the semi-detached pair of which it forms part, and the wider area; and (2) the living conditions of occupants of 4 Taylor Road, with particular reference to privacy.

Procedural Matter

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application form.

Reasons

Character and Appearance

4. The appeal property is a semi-detached dwelling located in a prominent position towards the entrance to Brereton Close. This cul-de-sac comprises a small group of dwellings of the same construction period and style, and although not all identical, they form a cohesive and distinctive group. These house types are also found in the surrounding roads, and are characteristic of the area.
 5. A particularly notable design feature of the appeal property, the semi-detached pair of which it forms part, and other pairs in the cul-de-sac and beyond is that of a side wing that is set back behind the main front wall of the dwelling. The
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proportions and design of the wing give it a degree of subservience to the main house.

6. The size and scale of the proposed extension would be overly large and dominant in relation to the dwelling and the semi-detached pair. The subservience of the existing side wing and the symmetry of the pair would be lost, and this would destroy characteristic design features of the appeal dwelling and others in the vicinity. Furthermore, the proposed extension would appear unduly intrusive in the street scene given the position of the site and the proposal at the entrance to Brereton Close. It would occupy much of the open space to the side of the property, and any sense of space between buildings at this point would be diminished.
7. The appellant advises that the proposal is the same as a development approved in 2003 under ref. 4/2003/0692, and that there has been no policy change to justify a refusal in 2017. However, no details or plans of the 2003 scheme have been supplied, and as such I cannot gauge any comparison with the appeal scheme. Moreover, as the Norwich Development Management Policies Local Plan was adopted in December 2014 (LP) I cannot be sure that there has been no policy change since the 2003 permission was granted. On the basis of the information supplied the previous permission therefore offers little support to this proposal.
8. I note the appellant's view that it is difficult to find affordable properties with annex accommodation. However, no evidence has been supplied to indicate any demand or shortfall in supply, but in any case such need would not outweigh the harm which has been identified.
9. I therefore conclude that the proposal would harm the character and appearance of the appeal property, the semi-detached pair of which it forms part and the wider area. The proposal would conflict with the design principles and aims set out in LP Policies DM2, DM3 and DM12, in that it would not respect, enhance and respond to the character and local distinctiveness of the area, nor give appropriate attention to height, scale, massing and form.

Living Conditions

10. The appeal property is located on a corner site and at ninety-degrees to the neighbouring dwelling 4 Taylor Road (No.4). There is a marked difference in ground levels, with No.4 and its rear garden, and that of the appeal property, being above the ground level of the appeal building itself.
11. The proposal would include a first-floor rear-facing bedroom window that would be sited in close proximity to No.4 and its rear garden. This would give direct views down into the private amenity space of No.4. Although the angles would be oblique, in my view there would also be potential for loss of privacy to habitable rooms.
12. Given the proximity of No.4 and the proposed extension, I conclude that the proposal would diminish the privacy for occupants of the neighbouring dwelling to a degree that their living conditions would be harmed, contrary to LP Policy DM2, which seeks to resist development that would have an unacceptable impact on the living conditions of neighbouring occupants in matters including overlooking and the loss of privacy.

Other Matters

13. The existing dwelling is evidently occupied as a shared house. However, for the avoidance of doubt I have determined this appeal on the basis of the plans supplied, as an annex to an existing dwelling. Whilst I note the Council's view that the annex would not be ancillary to the existing dwelling due to its scale and level of accommodation, there is no development plan policy basis on which to make such an assessment.

Conclusion

14. In conclusion, the Framework establishes a presumption in favour of sustainable development, and part of its environmental strand is to contribute to protecting and enhancing the built environment. A core planning principle of the Framework is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, but for the reasons given above the proposal would not comply with this principle and would not be sustainable development supported through the Framework. As a consequence, I conclude that this appeal should be dismissed.

H Lock

INSPECTOR