



Appeal Decision

Site visit made on 15 July 2019

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/E9505/W/19/3225873

Babaturu, 18 Bureside Estate, Crabbetts Marsh, Horning NR12 8JP

- 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 Nicholas Watmough against the decision of The Broads Planning Authority.
 - The application Ref BA/2018/0213/FUL, dated 12 June 2018, was refused by notice dated 12 October 2018.
 - The development proposed is the demolition of the existing timber framed, three bedroom, single storey dwelling; and the erection of a split height, single storey/one and a half storey timber clad/reed thatched, three bedroom dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Local Plan for the Broads 2015 to 2036 ('BLP') was adopted in May 2019. Consequently, the policies from the Development Management Policies DPD 2011 and the Site Specific Policies Local Plan 2014, which were referred to in the Council's decision, have been superseded.
3. With regards their approach to design, and the effect on the character and appearance of the area, the BLP takes a broadly similar approach to the policies they replaced. In any event, the Council referred to the BLP in its statement, and the appellant had an opportunity to comment on it during the appeal process.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. Amongst other things BLP Policy DM40 requires replacement dwellings to be of a scale, mass, height, design and appearance appropriate to the setting and the landscape character of the location. That approach is broadly reflected in parts of BLP Policy DM43. It encourages innovative designs where appropriate, but also states that proposals must complement the character of the local area and reinforce the distinctiveness of the wider Broads setting; and respond to surrounding buildings and the distinctive features or qualities that contribute to the landscape, streetscape and waterscape quality of the local area.

6. No 18 Bureside Estate is a fairly modestly-proportioned, single storey, timber clad and shingle roof dwelling, with a rectangular footprint. Its shorter front face addresses the River Bure. Viewed from the river approaching from the west, it is the first property on this side after the open marsh landscape.
7. Beyond this point in Crabbetts Marsh, heading east along the river frontage, there is a row of fairly low key, single storey dwellings, before one reaches a taller, more imposing, blue-coloured property at No 12, which was permitted as a replacement dwelling. From here on, heading towards the centre of Horning, the scale and proportions of the buildings on the river frontage are very varied. They include some substantial structures with two floors. The design of the buildings is equally diverse, and they are finished in a range of materials.
8. Given its scale, form and materials, the existing dwelling on the appeal site is fairly simple, lightweight, discreet and unremarkable. By contrast, the appellant describes his proposal as a uniquely designed, outstanding, landmark property, which will act as a 'full stop' to Horning in a key position on a peninsular of land close to the entrance to Black Horse Broad. He maintains that it will enhance the river frontage for the benefit of all.
9. The proposal, with its stained timber cladding and Norfolk reed thatched roof, picks up on local design features and materials, but with its extensive glazing and octagonal roof, applies them with a modern twist. In the context of the wider area, its general design, and its use of natural and traditional materials, would be appropriate.
10. However, the front section of the building closest to the river would be about 3.9m taller at its highest point compared to the structure it would replace. Its apparent bulk would be increased through the presence of dormers to the sides. Its front section would also be notably taller, and would have a greater bulk above ground floor level, than its closest neighbours to the east.
11. I recognise that buildings, including Babatru, tend to be enlarged over time; and that replacement dwellings are often larger than the original, or may be taller where there are concerns regarding flood risk, as here.
12. However, in this very sensitive location, this building's scale and height, and its siting forward of the building it would replace, would make it a particularly dominant feature locally when viewed from the river, and would significantly limit the extent to which it would be screened by trees, or seen against a landscaped backdrop.
13. Viewed from this busy stretch of river, the proposed dwelling in this prominent location would result in a very abrupt transition between the settlement edge and the open countryside. Consequently, notwithstanding its appropriate, high quality facing materials, it would not discreetly blend into its natural surroundings as claimed.
14. Whilst I have dealt with this scheme on its planning merits, my findings on this matter are broadly echoed by an appeal decision on a nearby plot at 16 Bureside Estate (APP/E9505/A/11/2154391). In dismissing that appeal, the Inspector found that the dwellings at the western end of Crabbetts Marsh from No. 13 onwards are smaller and less visually intrusive than the larger properties to the east, and that they therefore provide a visual transition to the undeveloped countryside. Whilst this scheme's design is very different to that

proposal, I therefore agree with the Council that allowing the scale of development proposed here could set an undesirable precedent.

15. As the scheme would harm the character and appearance of the local area, and would not fit in with its immediate context, it would conflict with BLP Policies DM40 and DM43. It would also conflict with those parts of BLP Policies SP7 and DM16 which require development to be appropriate to the character and appearance of the Broads; along with BLP Policy HOR3 which permits replacement buildings on waterside plots where they are consistent with the low key and lightweight form of buildings generally characteristic of the area.
16. In accordance with paragraph 172 of the National Planning Policy Framework ('Framework') I have given great weight to the conservation and enhancement of the landscape and scenic beauty of the Broads. Whilst viewed in isolation the scheme would be visually attractive, and it would utilise materials appropriate to the area, as its scale and height would not be sympathetic to the adjacent built environment and the landscape setting, it would not comply with the approach in that paragraph, or in Framework paragraph 127.
17. In its favour, I have no doubt that the proposal would be well-insulated and that it would be much more environmentally-friendly, and flood-resilient, than the building it would replace. Having regard to the Flood Risk Assessment, there would also be a small benefit arising from a slight increase in flood storage capacity as a result of the removal of small structures from the site; and the increased floor heights compared to the existing dwelling would improve occupant safety during flood events. However, I have no cogent evidence that this scheme, or a building of this height, is the only way in which those benefits, or other general improvements, could be achieved.
18. The scheme's modest benefits would not outweigh the harm that it would cause. Notwithstanding a representation in support from Horning Parish Council, it would conflict with the development plan when considered as a whole; and with the Framework. Having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR