
Appeal Decision

Site visit made on 29 May 2019

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2019

Appeal Ref: APP/F2605/D/19/3226210

24 Quebec Road, Dereham, Norfolk NR19 2DR

- 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 Richard Cranmer and Mrs Alison Cranmer against the decision of Breckland Council.
 - The application Ref 3PL/2019/0005/HOU was refused by notice dated 22 February 2019.
 - The development proposed is the demolition of the roof and the rear wall of the single storey lean-to to the rear of the building. Rear single-storey side infill extension and rear wall with flat roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the proposal on the living conditions of occupiers of No. 26 Quebec Road, with particular reference to visual impact, daylight and sunlight.

Reasons

3. The appeal property lies within the Dereham Conservation Area, which covers a large part of the town centre and includes a mix of buildings of different types and designs. Although the Council has not raised concern regarding the effect of the proposal on the Conservation Area, the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties requiring special regard to be had to the desirability, at Section 72(1), of preserving or enhancing the character or appearance of a Conservation Area.
 4. The proposed single-storey rear extension would have a flat roof and roof lanterns. It would appear as a subservient addition to this three-storey dwelling. I have attributed considerable importance and weight to the duty and the presumptive desirability of preserving the character and appearance of the Conservation Area. From my observations, due to the design and siting of the proposed extension, I consider that it would preserve the character and appearance of the Conservation Area.
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5. The appeal property is semi-detached. The proposed single-storey extension would extend into the return between the properties to a depth of some 8.5 metres. At my site visit, I was able to view across the appeal site from the neighbouring property at No. 26 Quebec Road. The neighbouring property has two kitchen windows facing the appeal site and a dining room window facing into their return. From my observations, due to the siting, scale and depth of the proposal, I consider that it would appear unacceptably overbearing when viewed from this neighbouring property. In addition, due to the orientation of the properties and the tunnelling effect likely to be created by the proposal, there would be an unacceptable loss of both sunlight and daylight into these rooms. In particular, I consider that the proposal would make the kitchen a significantly less pleasant place to use.
6. In reaching my conclusion, I have had regard to all matters raised, including the height of an extension allowed under Permitted Development Rights. This is a material consideration. Nevertheless, the depth of the proposal would be significantly greater than that allowed under Permitted Development Rights. Thus, whilst I have attributed some weight to the height allowed under Permitted Development Rights, for the above reasons, I conclude that the proposal would have an adverse effect on the living conditions of neighbours at No. 26 Quebec Road.
7. I have found that the proposal would preserve the character and appearance of the Conservation Area. However, it would have an adverse effect on the living conditions of neighbours at No. 26 Quebec Road. I consider this harm to be so significant to lead me to conclude that the appeal is dismissed.
8. For the reasons stated above, the proposal would be contrary to Policy DC1 in the Breckland Core Strategy and Development Control Policies (2009), where it seeks to protect residential amenity. I consider this policy is broadly consistent with the National Planning Policy Framework, where the Framework seeks to protect residential amenity.

J L Cheesley

INSPECTOR