



Appeal Decision

Site visit made on 6 August 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th September 2019

Appeal Ref: APP/F2605/W/19/3230578

Point House, 1 Besthorpe Road, Attleborough, NR17 2AN

- 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 and Mrs Lawrence against the decision of Breckland District Council.
 - The application Ref 3PL/2018/1362/F, dated 22 October 2018, was refused by notice dated 14 March 2019.
 - The development proposed is demolition of existing garage and erection of 1 no. 2 bedroomed bungalow with associated parking facilities.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have been provided with copies of the Breckland Pre-submission publication as part of the Council's questionnaire. I have not been provided with any details of the weight to which the Council attaches to this document; however, given the early stage of Plan preparation, I can only afford its policies limited weight in my decision. I note that both the appellants and Council's case relies on the Core Strategy and Development Control Policies Development Plan Document 2001-2026 (adopted 2009) (CS) in its submissions and therefore I have relied upon the policies within that document in coming to my decision.

Main Issues

3. The main issues are the effect of the proposed dwelling on:
 - the character and appearance of the area.
 - the living conditions of the occupants of 4-6 Ingrams Close, with particular reference to outlook, sunlight and noise and disturbance.

Reasons

Character and appearance

4. The site comprises a detached bungalow within a reasonable sized plot with garden to the side and rear. The site is located on Besthorpe Road, close to the signalised junction with the B1077 and within walking distance of the shops and facilities within Attleborough.

5. Besthorpe Road comprises a mix of single and two storey dwellings and is predominately residential in character, but also includes Attleborough Primary School. The street is characterised by wide detached dwellings which fill their plots.
6. The proposed dwelling would be sited within the side garden of 1 Besthorpe Road and would replace the existing garage and associated ancillary outbuildings which are currently sited along the boundary of the site. A new shared access is proposed centrally within the plot to serve both the proposed and existing dwelling.
7. The narrow linear form of the dwelling, which is in part due to the width of the existing bungalow, means the proposed dwelling has to be situated close to the boundary. The proposed dwelling would be considerably narrower than 1 Besthorpe Road and would be at odds with the other properties within the vicinity. It has been put to me that this would enable a transition between the character of the plot sizes in Besthorpe Road and those in Ingrams Close, however I consider that Ingrams Close is not read in the context of Besthorpe Road and therefore could not be relied upon to provide a transition.
8. Although the dwelling would be single storey, it would be set forward of the existing garage which in addition to the increased ridge height would result in a more prominent structure than the garage. Furthermore, the garage is clearly a subservient ancillary outbuilding.
9. In conclusion, the proposed dwelling, due to its narrow form and limited plot width, would result in a cramped form of development at odds with the prevailing character of the area, which would lead to harm to the character and appearance of the area contrary to policy DC1 and DC16 of the CS which require high standards of design which reflect the local character.

Living Conditions

10. The site runs parallel with the rear gardens of 4-6 Ingrams Close, a development off of the B1077 which comprises small bungalows which I understand from representations appear to be part of a purpose built retirement community.
11. The bungalows benefit from modest gardens some of which contain ancillary outbuildings along the shared boundary with 1 Besthorpe Road.
12. The proposed dwelling, whilst set off the boundary would be taller than the existing garage and would extend further along the boundary, with the entire length of 5 Ingrams Close becoming enclosed.
13. I do not consider there would be increased noise and disturbance, over and above that of the existing use of that part of the site as a garage, parking area and garden.
14. However, I consider that the development, due to the limited depth of the gardens, the increased height of the building and its overall length would in combination, result in loss of outlook and light to the rear windows of properties in 4-6 Ingrams Close. This would be greater than that of the existing garage which already has an impact on those properties within Ingrams Close. Whilst the outlook from the gardens of 4-6 Ingrams Close is already restricted by the garage to a degree there is at least some outlook over and above the

garage to the properties to the rear. However, due to the increased height and length of the proposal on the boundary the outlook of occupiers would be that of a solid brick wall in close proximity to the boundary, thereby further reducing the outlook from the gardens and reducing light received to the rear of the neighbouring properties.

15. It has been put to me that a similar development could be built under permitted development, however no details are before me of such a development and I have therefore considered the proposal on its own merits. However, I consider that the increased ridge height of the proposed dwelling, over and above that which may be acceptable under permitted development would be detrimental to the living conditions of the occupiers of 4-6 Ingrams Court.
16. I also note that during the consideration of the application the appellant offered to reduce the ridge height of the dwelling, however these plans are not before me and I have considered the appeal on the basis of the plans submitted with the application.
17. In conclusion, the limited depth of the gardens, the increased height of the building and its overall length, in combination, result in a development which would be detrimental to the living conditions of the occupiers of 4-6 Ingrams Court by virtue of outlook and loss of light contrary to policy DC1 of the CS which seeks to protect amenity of neighbouring occupants in terms of dominance.

Other matters

18. I have considered that the proposal would result in some benefits including the provision of an additional dwelling which would contribute to housing supply in a sustainable location with good access to services. In addition, the proposed shared access would be an improvement to the existing access, due to its positioning further away from the junction. However, these benefits do not outweigh the harm identified above.

Conclusion

19. For the reasons given above I conclude that the appeal should be dismissed.

G. Pannell

INSPECTOR