



Appeal Decision

Site visit made on 3 September 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2019

Appeal Ref: APP/L2630/W/19/3231496

37 Stoke Road, Poringland, Norwich NR14 7JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alan Wright against the decision of South Norfolk District Council.
 - The application Ref 2018/2212, dated 2 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is subdivision of garden to provide building plot for one bedroom single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application was made in outline with all matters reserved and I have therefore had regard to drawings 18-2347-01 and 18-2347-04A. I have dealt with the appeal on this basis and considered the other plans as being for illustrative purposes only.
3. The proposal before me follows the dismissal of a related appeal on the same site, APP/L2630/W/16/3146317. Whilst each case must be determined on its own merits, I have had regard to this decision in the determination of the appeal.

Main Issues

4. The main issues are the effect of the development on
 - the character and appearance of the area.
 - the living conditions of nearby residents, with particular reference to noise and disturbance.

Reasons

Character and appearance

5. The appeal site comprises the rear garden of 37 Stoke Road, which currently contains a number of pigeon lofts which extend for the length of the garden on both sides. 37 Stoke Road is a two storey semi-detached dwelling which is sited within an area characterised by a range of dwelling types.

6. The majority of the properties along Stoke Road are set back from the road frontage to allow for parking and benefit from good sized gardens to the rear. The linear form of development continues for the length of Stoke Road and contributes to its overall character.
7. There are a number of developments under construction within the vicinity of the site, however these either front Stoke Road or are accessed off newly constructed roads. The exception to this is 49 Stoke Road, which is close to the appeal site and can be seen from within it. This is sited to the rear of the existing properties in Stoke Road. However, the evidence before me indicates that this is a more spacious plot.
8. The proposed dwelling would be sited behind the existing dwelling, served by a narrow access and would lead to a development at odds with the general pattern of development. This would result in an increase in the density of development within the locality, which is generally characterised by open rear gardens, including some, such as the appeal site, with ancillary outbuildings. This would lead to an urbanising affect which would be both out of character and harmful to the overall appearance of the area.
9. In conclusion, whilst the garden currently contains a number of buildings which would be demolished in order to facilitate the proposed development, I consider that the proposal would result in a form of backland development that would not be in keeping with the pattern of development in the locality. The tandem form of development would be contrary to policies 1.4, 3.5 and 3.8 of the South Norfolk Local Plan, Development Management Policies Document 2015 (LP) which seek to ensure that additional dwellings in sub-divided plots respect the local distinctiveness of surrounding development and generally enhance the character or appearance of the locality. The proposal would also be contrary to Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) in particular in its aim to respect local distinctiveness.

Living Conditions

10. Whilst access is not before me for consideration, it is clear from the layout of the site and the position of the existing dwelling, the access would need to run along the boundary of 37 and 39 Stoke Road. The result of the tandem development proposed is the need for the vehicles to pass close to the rear elevation of the neighbouring property and the private amenity space of both properties. The additional noise and disturbance resulting from the increased traffic movements would be harmful to the living conditions of both 37 and 39 Stoke Road.
11. I consider that noise from cars accessing, turning and manoeuvring within the site and utilising the proposed access road, whilst modest, given its potential proximity would be detrimental to living conditions of neighbouring properties. Whilst planting and a fence could help to mitigate this effect, I do not have sufficient detail before me to determine the suitability of any such mitigation and I am concerned that these could lead to further unsatisfactory effects on living conditions in terms of outlook.
12. It has also been put to me that the movements associated with the proposed dwelling would be similar to that of a garage, which could be built without the need for planning permission. However, I am of the opinion that, even if this

was the case, the movements associated with two dwellings, where currently there is one, would lead to a greater impact on neighbouring properties than that of a single dwelling with garage.

13. I conclude that the increased use of the new driveway would add unacceptably to the noise and disturbance likely to be experienced by the occupants of 37 and 39 Stoke Road, contrary to policies 3.5 and 3.13 of the LP seek to protect all existing and future occupiers from an incompatible neighbouring use in terms of noise and disturbance.

Other matters

14. The appellant has made reference to the design of the proposal and how this has been developed to take into account the character of the area. However, as an outline application this detail is not before me for consideration and in any event, I have found the principle of development to the rear of the existing dwelling to be unacceptable and therefore consideration of the design of the dwelling would not overcome this harm.
15. I have also taken into account the appellant's wish to use the accommodation for elderly relatives so that family, who live within the village, can provide on-hand support. However, these personal circumstances are not sufficient to outweigh the permanent harm that I have identified.
16. There is also reference to the conduct and advice of the Council and its officers during the planning application process. However, these are not matters for my deliberation in the context of a planning appeal.
17. The proposal would result in benefits, including the provision of an additional dwelling on a small housing site which would contribute to housing supply and in a location with good access to services. It would contribute to the local economy. However, these benefits are on a modest scale and do not outweigh the harm identified to the character and appearance of the area, or the living conditions.

Conclusion

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

G. Pannell

INSPECTOR