



Appeal Decision

Site visit made on 3 September 2019

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2019

Appeal Ref: APP/L2630/W/19/3231760

9 Poringland Road, Stoke Holy Cross NR14 8NL

- 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 Sean Chambers against the decision of South Norfolk District Council.
 - The application Ref 2019/0126, dated 17 January 2019, was refused by notice dated 14 March 2019.
 - The development proposed is erection of new bungalow and creation of new vehicular access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. When the Council made its decision on the original planning application it stated that it did not have a 5 year housing land supply. Paragraph 11 d) of the National Planning Policy Framework, (the Framework), the tilted balance, was therefore engaged. The second reason for refusal is predicated on this position. However, since then the Council has confirmed that its housing land supply position is set out in the published Interim Greater Norwich Area Housing Land Supply Assessment 2017/18, which demonstrates that they have a supply of 6.63 years. Whilst there was concern raised over the date and status of the published statement, I have been provided with no substantive evidence to show that the Council do not have a 5 year housing land supply. Therefore, I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located on Poringland Road to the rear of No. 9. The proposal seeks to develop a new bungalow in the rear garden, with an access that would run alongside the existing bungalow. There are existing properties located either side and to the rear of the site. The area is residential in character and is predominantly characterised by detached bungalows set back from the road in spacious plots with large rear gardens. The road has a spacious and green feel,

due to the positioning of the houses and the hedges and trees which front on to the road.

5. The proposed dwelling would be set in the rear garden of the existing bungalow, in a position and layout which would be out of character with the existing pattern of development in the area, characterised by properties fronting the road. The siting of the proposed property would mean that it would be partly visible from the highway and would impact negatively on the street scene. Whilst I acknowledge that the appeal site forms a slightly larger garden than other neighbouring dwellings, the size of the resultant plot would be much smaller, and would be at odds with the existing generous plots of dwellings in the area. Although localised in its extent, the appeal scheme would therefore harm the existing character and appearance of the area.
6. The appellant has provided examples of similar developments to the proposal. However, I do not have sufficient evidence to determine why all these proposals may have been deemed acceptable or to test comparability with the appeal scheme. In any event, I have determined this appeal on its own individual planning merits.
7. The appellant has also provided an extract and a plan from an appeal which has been allowed at No. 58 Poringland Road¹. In this appeal, the Inspector noted that the street scene at the appeal location, generally consists of linear development set back a short distance from the highway edge by verdant front gardens. However, the Inspector also noted that there was some variety in the layout and positioning of dwellings, particularly in proximity to the proposed dwelling in the appeal. This is not the case in the appeal that is before me. Accordingly, I afford this limited weight and I have considered the appeal within its own localised context.
8. Consequently, the proposal would be contrary to Policies DM3.5 and DM3.8 of the South Norfolk Local Plan Development Management Policies Document, adopted October 2015 and Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), adopted January 2014. These policies, amongst other things, seek to ensure that new development is of good quality design and respects local distinctiveness.

Other Matters

9. I note that at the planning application stage there was concern raised by a neighbouring property around the positioning of the windows on the proposal. However, they have since sent a further letter to indicate that due to the height and style of the proposed windows, they are content that there would be no issues of overlooking. Having considered the proposal, I agree that there would be no harm in regards to living conditions on the neighbouring properties.
10. The appellant has raised that the JCS, due to its age, should be considered out of date. However, as set in my procedural matters I have considered the appeal on the basis that the Council does have a 5 year housing land supply. I find that the policies of the development plan most relevant to the determination of this appeal are not considered to be out-of-date and are not inconsistent with the Framework.

¹ LPA ref 2014/1794

11. The appellant has made reference to Paragraph 68 of the Framework in terms of the positive benefits proposals such as this can have for small building companies. I acknowledge that this is a positive impact of the scheme. However, this does not outweigh the harm that I have identified above.
12. The appellant has also suggested that there are limited opportunities for development within the village and that the appeal scheme would help towards the delivery of housing. The lack of opportunity for development does not mean that planning permission should be automatically granted. Further, the benefit of one dwelling to the supply of housing does not outweigh the harm I have identified.

Conclusion

13. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR