



Appeal Decision

Site visit made on 30 September 2019

by Conor Rafferty LLB (Hons), AIEMA, Solicitor (Non-practising)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2019

Appeal Ref: APP/Y2620/W/19/3233816

6 St Mary's Road, Stalham, Norfolk, NR12 9DO

- 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 Mrs Penny Doe against the decision of North Norfolk District Council.
 - The application Ref PF/18/2206, dated 27 November 2018, was refused by notice dated 25 January 2019.
 - The development proposed is the erection of two self-contained flats.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are the effect of the development on (i) the character and appearance of the surrounding area; and (ii) the living conditions of neighbouring residents at 4 St Mary's Road with particular regard to the potential to appear overbearing.

Reasons for the Recommendation - *Character and appearance*

4. The appeal site is located on the St Mary's Road cul-de-sac. It comprises a two-storey semi-detached residential property with garden space to the front and side. The surrounding area is characterised by its residential nature. Upon entering the cul-de-sac No. 1 – 4 have a bungalow appearance, but the remainder of the street is made up of two storey dwellings similar in character and design to the appeal property. An area of space between the side of the properties and plot boundaries is a common feature among the two storey dwellings on the street, albeit that some benefit from garages and porches to the side.
5. The proposed development relates to the erection of a two-storey building comprising two self-contained flats in the space along the side elevation of No. 6. The proposal has been designed to match the existing property, with the use of a horizontal brick band at mid height, similar style windows and a hipped tiled roof. Materials used would also be like those at No. 6.

6. Nonetheless, the proposal would introduce a feature that would not respect the character and appearance of the surrounding area. Although the proposal comprises two self-contained flats, it would represent the first detached dwelling present in the cul-de-sac, and as such would appear as an incongruous addition to the street scene. The development would also remove the vacant space to the side of No. 6, which is a common feature and characteristic of the surrounding area. While other dwellings in the street have single storey porches and garages to the side of their property, the proposal would be notably different from these developments by nature of its size and use as a separate residential property. It would therefore appear out of place when compared with the remainder of the street.
7. In combination with the existing property, the proposal would dominate the appeal site. It would appear disproportionate in the context of the site itself but would also reduce the sense of coherence with the wider street scene. Views of the proposal would be particularly dominant when exiting the cul-de-sac, where it would be experienced alongside No.6 and the bungalow style dwelling of No. 4, which would heighten the sense of overdevelopment of the plot. The proposal would therefore not respect the density and character of the surrounding area.
8. I find that the development would have a significantly adverse visual effect on the character and appearance of the surrounding area. Accordingly, it would fail to comply with Policy EN4 of the North Norfolk Local Development Framework Core Strategy adopted in September 2008.

Living conditions

9. The proposal would be located along the boundary between the appeal site and the neighbouring dwelling at No. 4. This boundary between the properties runs diagonally, such that the appeal site is wider at the rear than it is at the front. Consequently, the proposal gets progressively further from the boundary with No. 4 towards the rear.
10. Nonetheless, the overall distance between the proposal and this neighbouring dwelling is minimal. The development would be situated close to the side elevation of No. 4, where the entrance door is located, and would be separated from this neighbouring dwelling by a boundary fence and the neighbouring narrow driveway. When entering or exiting No. 4 by this entrance door, the side elevation of the proposal would feel overbearing by nature of its proximity.
11. Furthermore, the self-contained flats would be set out over two storeys and result in a building which would tower over the current boundary fence and rise above the bungalow style dwelling at No. 4. This would increase the overbearing feel of the development when experienced from the outdoor space at No. 4.
12. Due to the proposed location of the flats close to the boundary with No. 4 and the difference in floor levels between the proposal and the neighbouring dwelling, the proposed development would appear so overbearing when viewed from the outdoor space of No. 4 as to cause harm to the living conditions of the occupiers of that dwelling. Accordingly, it would fail to comply with Policy EN4 of the North Norfolk Local Development Framework Core Strategy adopted in September 2008.

Other considerations

13. The appellant has raised various positive aspects of the proposal. It is stated that the development represents sustainable reasonably priced accommodation for

downsizing or for first time buyers, for which there is an identified need in the area. The appellant further states that the Council can only demonstrate a housing land supply of fractionally over five years, and that the proposal would assist in developing this supply further. These benefits are acknowledged; however, these considerations are insufficient to outweigh the harm identified above.

Conclusion and Recommendation

14. Having had regard to all matters raised, I recommend that the appeal should be dismissed.

C Rafferty

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be dismissed.

A U Ghafoor

INSPECTOR