



Appeal Decision

Site visit made on 21 October 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 November 2019

Appeal Ref: APP/F2605/W/19/3233575

Land adjacent 1 East Road, Watton, Thetford, Norfolk IP25 6AY

- 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 Mick Jolly against the decision of Breckland Council.
 - The application Ref 3PL/2019/0522/F, dated 25 April 2019, was refused by notice dated 28 June 2019.
 - The development proposed is described as 'erection of two storey dwelling'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and,
 - The effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to privacy.

Reasons

Character and Appearance

3. The site is a corner plot at the junction of East Road and North Road, in a predominantly residential area. On this side of East Road the street scene comprises pairs of semi-detached houses, generally with single-storey garages or extensions to the side. Properties on North Road are similar in character, although there is a large detached house on North Road, No 12A, opposite the appeal site. Notwithstanding that exception, the street scene along North Road and East Road to either side of this corner plot is predominantly characterised by the consistency of the size, appearance and semi-detached character of the houses.
4. Within this context, the proposed house would be significantly smaller than the others and therefore a prominent feature in the street scene. It would appear incongruous within the setting as a smaller, detached house among larger and predominantly semi-detached houses.
5. The proposed development would therefore be harmful to the character and appearance of the area, and contrary to Policy DC 16 of the Breckland Core Strategy and Development Control Policies Development Plan Document 2001-2026 adopted December 2009 (the CS), which requires that design proposals preserve or enhance the existing character of an area. This policy is in

accordance with the design criteria of the National Planning Policy Framework (the Framework) and therefore there is no conflict between local and national policy.

Living Conditions

6. Bedroom windows in the north elevation of the existing house and south elevation of the proposed house would face one another at a short distance. This would result in an unacceptable relationship between the two properties. The siting of the windows would also result in the gardens of the houses being overlooked, with limited privacy for occupiers as a result.
7. The appellant has suggested that this could be resolved by moving the bedroom window to the proposed house. However, I must determine the appeal based on the evidence before me, and no amended plans showing this revision have been submitted. In any case, and even if I were to accept such an amendment, the harm arising out of the first issue would remain.
8. The proposed development would therefore be contrary to policy DC 1 of the CS, which states that development will not be permitted where there are unacceptable effects on the residential amenity of neighbouring occupants, including as a result of overlooking and/or privacy loss. This policy is in accordance with the design criteria of the Framework, and therefore there is no conflict between local and national policy.

Other Matters

9. The appellant provided amended plans that sought to relocate the fence between the existing and proposed houses and reduce the depth of the proposed driveway to the existing house. Even if I were to accept such changes, they would not overcome the harms I have identified above.
10. The appellant has drawn my attention to two approved houses on corner plots at the junctions of East Road and South Road, and South Road and West Road. However, I do not have the full details of these schemes available so cannot be sure that they represent a direct parallel to the appeal proposal on matters such as the scale of development and effect on the living conditions of neighbouring occupiers. In any case I must determine this appeal on its own merits.
11. I note that consultees did not raise any objections to the proposed development during the application. The absence of identified harm in this case is a neutral consideration in determining this appeal, and in any event would not absolve any decision maker from undertaking their own assessment thereon.
12. I note that the Town Council have submitted a revised comment objecting to the appeal on highway safety grounds but there is limited evidence to support such a position as well as there being no objection to the proposal from the Highways Authority. I have therefore not considered this matter determinative in this appeal. My conclusions nonetheless remain unchanged.

Conclusion

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

M Chalk

INSPECTOR