



Appeal Decision

Site visit made on 4 February 2020

by D. Szymanski, BSc (Hons) MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th February 2020

Appeal Ref: APP/G2625/D/19/3239070

7 Violet Road, Norwich, Norfolk, NR3 4TR

- 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 Matt Sheppard against the decision of Norwich City Council.
 - The application Ref: 19/01048/F dated 19 July 2019, was refused by notice dated 18 September 2019.
 - The development proposed is a second storey extension to dwelling (revised scheme).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address in the original planning application form described the appeal site as 7 Violet Close. However, it is apparent from the appellant's appeal form, the Council's decision notice, and my site visit, that the appeal site address is 7 Violet Road.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the host property and wider area;
 - the living conditions of the occupiers of No. 9 Violet Road with particular reference to daylight and outlook; and,
 - the living conditions of the occupiers of the appeal site dwelling with particular reference to outlook.

Reasons

Character and appearance

4. The appeal site comprises the western side of a pair of semi-detached dwellings set on a wide corner plot. The properties in the vicinity of the appeal site on Violet Road and Amhurst Close are all of a similar age and architectural style. They comprise mainly semi-detached gable roof houses or bungalows. Most integrate red or pink brick work with a limited part of the front elevation finished in render, boarding or hung tiles in differing colours. Notwithstanding the different colour finishes the semis exhibit a strong degree of symmetry and

- balance. The appeal site has an area of dark boarding on its front elevation, although it is a subservient feature to the lighter brickwork.
5. The rear of the appeal site dwelling benefits from a small stepped ground floor extension enclosed within a shallow garden area. The rear elevation is significantly elevated from the properties on Ladysmith Drive, Amhurst Close and other parts of Violet Road to the north. This together with its corner plot position makes the rear elevation notably visible from the north. A number of other first floor rear elevations are also visible. Few are modified and retain the original brickwork and symmetry with the neighbouring property.
 6. The proposed extension would be on the footprint of the existing ground floor extension. However, the extension would result in the eaves of the eastern element appearing significantly above the eaves of the neighbouring dwelling and the proposed gable eaves. This would appear unusual and poorly related to the host dwelling and proposed gable, to the neighbouring semi, and diminish the sense of continuity and balance.
 7. Whilst facing bricks are proposed on the side walls of the extension, in combination with the increased eaves height, the dark boarding across the width and height of the first floor rear wall would appear incongruous and jarring when viewed in the context of the neighbouring property and rear elevations of other nearby properties, which are mostly brickwork. The prominent siting of the dwelling would result in the development being highly visible and prominent from a number of neighbouring properties and parts of the wider area.
 8. I have been referred to examples of other rear extensions and façades, although the addresses and locations of many are not clear, and the full details and circumstances that lead to them are not before me. Therefore, a direct and reasoned comparison with the appeal proposal is difficult.
 9. The semis with differing cladding and boarding over a large part of the first floor, maintain their symmetry and balance in other respects, such as window position, eaves height and roof shape. I could not view the rear facades of Nos. 78 and 80, which was reflective of their limited prominence in relation to the wider area. Therefore, they differ from the appeal site in this regard. The terraced houses appear some distance from the appeal site. They are of a differing age, style, and in a locality and context with a different character and appearance, to the appeal site and surrounding properties. Therefore, whilst I note the examples provided, they do not justify approving the development before me. I have considered the appeal proposal on its own merits.
 10. For the reasons set out above, the proposed development would conflict with Policies DM3 and DM12 of the Norwich Development Management Policies Local Plan (2014) (the DMPLP). In combination and amongst things these policies require that proposals should respect, enhance and respond to the character and local distinctiveness of the area, and avoid incongruous extensions.

Living conditions

11. The extension would extend approximately 1.8m in depth and 5.1m in height adjacent to the neighbouring semi of No. 9 Violet Road and up to 5.5m high and 2.1m in depth on the western element. The gardens of the appeal site and No. 9 are shallow, being approximately 2.5m and 4.5m in depth respectively.

The orientation of the gardens and surrounding topography means that the majority of the open aspect and outlook enjoyed from the back gardens is to the north. Due to the height, short depth and location of the extension it would not appear overbearing, and the outlook would only be affected to a very small degree. Therefore, the development would not result in harmful living conditions of the occupiers of No. 7 or No. 9 in respect of loss of outlook to the gardens.

12. Whilst No. 9 is north facing the first floor windows appear to benefit from an adequate level of daylight and outlook due to the elevated position of the dwelling in relation to surrounding dwellings. The plans show that the extension would slightly interject the 45-degree line from what appears to be the centre point of the first floor window of No. 9. Whilst there is a technical breach, the depth and height of the extension means the extent of the breach would be small. This and the elevated position of No. 9 in relation to properties to the north means that the impact of the development would be small, and it would not result in harmful living conditions in respect of outlook and loss of daylight to the rear windows of No. 9.
13. For the reasons set out above, the development would not be contrary to Policy DM2 of the DMPLP. Amongst other things, this requires that development should have an acceptable impact upon occupiers in respect of outlook and daylight. The Council has referred to Policy DM13 of DMPLP in its reason for refusal. However, this policy relates to communal development and multiple occupation, which is not the proposal before me.

Other Matters

14. The appellant has referred to the benefits of the proposal in terms of insulation and increased energy efficiency, although the extent of the benefits is not clear. The extension would improve the living accommodation for the appellant, neighbouring properties have not raised an objection, and it is understood the appellant has sought to resolve concerns raised in respect of previous proposals. Whilst I note these factors, they do not mitigate or override the harm I have found in respect of character and appearance.

Conclusion

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

Dan Szymanski

INPSECTOR