
Appeal Decision

Site visit made on 26 February 2020

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2020

Appeal Ref: APP/L2630/W/19/3242083
69 High Street, Wicklewood NR18 9QA

- 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 John Seville against the decision of South Norfolk District Council.
 - The application Ref 2019/1552, dated 30 July 2019, was refused by notice dated 17 October 2019.
 - The development proposed is described as 'proposed new 2-bed bungalow on land to the rear of 69 High Street.'
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is the rear garden to No 69 High Street. It is an open and flat parcel of land, laid to grass and enclosed by close boarded timber fencing. The existing dwelling is a bungalow which is set back from and facing High Street. A hard surfaced private driveway runs adjacent the side elevation of the dwelling which would provide vehicular access to the proposed bungalow. It also currently gives access to No 69a High Street. The immediate area hosts dwellings of different types and sizes including single and two storey buildings. Each are of some substance in themselves, mainly of the single tier frontage type and sat in fairly substantial and spacious plots. Newer development to the north reflects this arrangement to which 69a, despite being a backland plot, can be read as part.
4. As I have said, the scale of existing dwellings in the area varies. However, the proposed building would be contextually very small with a plot size equally so which, when set against others, would appear out of place. The splitting of the existing rear garden to No 69 would also have a noticeably truncating effect on its plot, reducing the characteristic spaciousness. Furthermore, the proposed dwelling would result in a third tier of development taking its access from High Street. Something of an alien layout that would exacerbate the adverse impacts arising out of the size of the building and the resulting curtilage to it and No 69.

5. These effects would give rise to harm to the character and appearance of the area. Whilst the existing dwelling and the semi discreet position and orientation of the proposed bungalow would reduce how visible it would be in the public realm, a new dwelling in the position proposed would nonetheless still be discernible given the length and width of the aforementioned private driveway. In any case, even if the proposed dwelling was completely hidden, the harm that would be caused to the character of the area would remain.
6. The proposals would therefore be contrary Policy 2 of the Core Strategy¹ and Policies DM1.4, DM3.5 and DM3.8 of the Local Plan². Amongst other things, these policies seek to ensure that new development (additional dwellings on sub divided plots specifically) is of a high quality and contextually appropriate design and appearance that respects character and local distinctiveness.

Other Matters

7. The appellant explains that a certificate of lawful development³ has been obtained for a garden room and a detached garage. This, from what I understand, would allow the erection of a detached building in the garden of No 69 of broadly the same dimensions as the proposed bungalow. Be this as it may, such a building would, as the appellant points out, be ancillary to the host dwelling. As such its use, operation and thus effect on the character of the area would be wholly different in comparison to an independent dwelling which would have its own access, curtilage and parking. I am not therefore persuaded to allow the appeal in this light.
8. The appeal scheme has been advanced in part as a self build plot and would therefore count towards the Council's obligations under the relevant Act⁴. Indeed, the appellant is willing to enter into a planning obligation with the Council to ensure the dwelling would be secured as such. The lack of a completed obligation to this effect before me aside, the Council's evidence does appear to explain that they are granting planning permissions for self build plots to the extent that an undersupply does not, on the basis of what I have seen, appear to exist. Even if it did, the Act requires there to be suitable (my emphasis) planning permissions granted for self build plots. For the reasons I have set out above, I would not consider the appeal site to be such.
9. The proposed dwelling's garden would not, taking into account the lack of an explicit policy based minimum expectation, its location and degree of enclosure and the size of the dwelling, itself be unacceptable for the purposes of private enjoyment. I note nonetheless that the matter of the living conditions of future occupiers is not a contentious one in this appeal and it would remain in any case that the size of the proposed plot would be harmful to the character and appearance of the area in the manner I have described it.
10. I note the appellant's arguments concerning the location of the appeal site relative to services on which future occupiers would rely for day to day living. This does not seem to be disputed by the Council but in any event it, and other matters accepted, would constitute a lack of harm which, by definition cannot be used to weigh against it.

¹ Greater Norwich Development Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, amended 2014

² South Norfolk Local Plan: Development Management Policies Document 2015

³ Local Planning Authority Reference 2019/0879

⁴ Self Build and Custom Housebuilding Act 2015

11. There are some smaller plots associated with a terrace of dwellings to the north of the appeal site. These are however an exception to the prevailing character of the area rather than the norm as I have defined at above. In addition, and as a terrace they are naturally closer knit. This would not to my mind justify a new detached dwelling on a significantly constrained plot in the context I have set out.

Conclusion

12. There is some discussion in the evidence of both main parties concerning whether the Council are able to demonstrate the supply of housing sites as required by the Framework⁵. If I were to be making the decision in an undersupply situation, be taken to paragraph 11 and treat the most important policies accordingly I would attach some weight to the provision of a new dwelling. I would also attach some weight to the associated economic and social benefits arising as well as the provision of a self build plot. However, for the reasons I have given above and noting the scale of the proposed development, such weight would be limited. The harm that I have found to the character and appearance of the area which would result in conflict with the development plan would attract substantial weight. I would therefore conclude that, in this particular case, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits.
13. With this and the above matters in mind, and taking into account the views of third parties, the appeal is dismissed.

John Morrison

INSPECTOR

⁵ The National Planning Policy Framework 2019