
Appeal Decision

Site visit made on 17 February 2020

by E Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st March 2020

Appeal Ref: APP/F2605/W/19/3234317

99 Admirals Way, Thetford, Norfolk IP24 2TJ

- 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 and Mrs Ryan Foster against the decision of Breckland District Council.
 - The application Ref 3PL/2019/0468/F, dated 15 April 2019, was refused by notice dated 17 July 2019.
 - The development proposed is described as 'Demolition of single storey extensions on gable-end of existing semi-detached dwelling house; construction of new attached two storey dwelling house on gable-end of existing semi-detached dwelling house'.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. Following the Council determining the application and prior to the conclusion of this appeal, the Breckland Local Plan has been adopted. The views of the main parties have been sought on the implications of this policy change. I have assessed the appeal on the basis of the policies in the Adopted Plan as these more up to date policies have superseded those originally referred to in the Council's decision.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the proposed development would provide satisfactory living conditions for existing and future occupiers in respect of the provision of amenity space.

Reasons

Character and Appearance

4. Notwithstanding the property description in the application as a semi-detached dwelling, No. 99 is the end property of a 3 house terrace block. It occupies a corner plot at the junction of Admirals Way and Benbow Road and has been extended to the front and side with a single storey extension and conservatory.

5. The boundary treatment is a stone wall backed by planting adjacent to the back edge of the pavement, which consequently creates an individual style not repeated elsewhere making this corner quite distinct.
6. The main property is typical of the development in the surrounding area, the street scene of which is generally characterised by short terraced rows or pairs of semi-detached properties. The properties in the street are generally aligned along the street in a regular pattern behind modest gardens or parking spaces, and while several properties have been altered the original pattern of development remains apparent.
7. The development would replace the single storey side extension with a two-storey dwelling. This would extend the terrace to four properties in length and would be in line with the current front and rear elevations and replicate the form of the current property in elevational treatment. In this regard I consider it respects the character and appearance of the area.
8. The removal of the current side and front extension along with the side boundary walls would additionally assimilate the development into the street in a way that currently does not occur, and this could be regarded as a modest benefit to the locality.
9. However, in views from the east and south-east on Benbow Road, the additional mass of the terrace and the limited amenity space for the host and proposed property would appear discordant and incongruous and would fail to respect the established layout and form of this part of the estate.
10. In this respect I consider that the proposed dwelling would cause harm to the character and appearance of the area and therefore would not accord with policy COM 01 of the Breckland Local Plan (2019) in so far as the policy aims to ensure integration with the surrounding area in terms of layout, form, and mass.

Living Conditions

11. In the current layout of development, the depth of the rear garden on this site is already compromised by the garage and the access to the neighbour's garage. Being a corner plot, this is ameliorated by the space available to the side and front.
12. The existing rear garden of No 99 Admiral Way would be subdivided along the new party boundary. The resulting garden for the existing property would be significantly reduced, and if developed in the manner proposed would leave a cramped and inadequate level of space for 2 family homes.
13. I accept that there is no specific standard that the Local Plan requires and there are examples as referred to by the appellant of modest gardens and modest plots elsewhere on the estate. According to the appellant's figures, which have not been disputed, the appeal site is the smallest of the sites where two dwellings exist or are proposed.
14. I do not consider that the argument presented in calculating plot size in itself is persuasive. It fails to consider the whole picture or make a value judgment on the quality or usability of the space available. In any event where plot sizes are modest as I consider them to be in this case, even a small amount can be

material in differentiating between what might be acceptable and what might not.

15. Despite the fact the proposal replaces the side extension and would only be a modest increase in the footprint of built development, this marginal increase and the division of available garden space between two properties, results in a cramped form of development, which does not achieve a satisfactory level of useable garden space for two families and that the living conditions as a consequence would not be adequate.
16. I therefore consider that the development would fail to provide adequate living conditions for existing or future occupiers and would therefore be contrary to policies COM 01, COM 03 and GEN 02 of the Breckland Local Plan (2019) which amongst other things seek to protect living conditions by providing adequate levels of private amenity space.

Other matters

17. The appellants have referred to three other sites on similar nearby corner plots. The Council advise that (Using the Appellant's Reference No's) Site Two has not in fact been extended but was part of the original layout of the estate and Site Four is an extension rather than a new dwelling.
18. I was able to view each of these from the public realm during my site visit. Sites two and three both appeared to have larger gardens, and this is supported by the figures provided by the appellants.
19. Site four on the corner of Frobisher Close is an extension to the current property with no separate side or front door and the garden space has not therefore been subdivided. I do not regard these examples to be so similar as to create a precedent that could justify supporting the current appeal proposal.

Conclusion

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

Edwin Maund

INSPECTOR