
Appeal Decision

Site visit made on 10 March 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd April 2020

Appeal Ref: APP/L2630/W/19/3243415

Land adjacent to Overtons Way/Devlin Drive, Poringland NR14 7WA

- 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 Stephen Litten (The Amari Group) against the decision of South Norfolk District Council.
 - The application Ref 2019/1940, dated 20 September 2019, was refused by notice dated 13 December 2019.
 - The development proposed is described as the 'construction of 8 no. new residential units to consist of 5 no. 2 bed apartments with shared amenity and allocated parking, 2 no. 3 bed detached, 2 storey residential dwellings with private parking and garden amenity, and 1 no. 4 bed detached, 2 storey residential dwelling with private parking and garden amenity'.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site forms a parcel of grassland which is largely screened from the surroundings streets by an assortment of trees and vegetation. The site fronts The Street, Overtons Way and Devlin Drive. This stretch of Devlin Drive serves a wider modern residential development nearby, and its open aspect and proximity to a roundabout means that it is visually prominent.
4. The area is predominantly residential in character apart from a relatively small commercial development which lies immediately to the north of the appeal site. Houses in the area display commonality in terms of their materials and architectural detailing. However, their style, scale and overall form varies, giving the area a divergent appearance, characterised by relatively modern housing which has been influenced by local vernacular.
5. The Council's reasoning focuses on the design and mass of the proposed buildings which would front the site. The largest of these buildings would comprise a single unit of five apartments which would face Devlin Drive and The Street. Its design would consist of a centrally positioned gable fronted roof form, with each symmetrical 'wing' incorporating a lower hipped roof with small front facing box dormers.

6. Its corner plot position and proximity to several streets which converge at the roundabout, combined with its scale and overall form, would ensure the apartment building was eminently visible from the surroundings. Moreover, despite their set-back from the site's corner, the proposed detached dwellings (plot no's 2 and 3), would also be visible from Devlin Drive and part of the roundabout.
7. I have been made aware of a previous appeal decision¹ on the appeal site relating to a different scheme which was dismissed by the Inspector. In comparison with the previous scheme, as well as a different layout, the prevailing height of the proposal has been pared down such that its overall scale would not be out of step with the large townhouses and other properties fronting Devlin Drive and the roundabout, which lie generally opposite the appeal site, thus addressing one of the Inspector's fundamental concerns. Furthermore, despite the Council's concerns, I do not find the design or scale of the proposed gable fronted element in respect of the apartment building to be objectionable in itself.
8. However, the overall width and one and a half-storey² height of the 'wing' of the apartment building which would face Devlin Drive, would not, in my judgment, be insubstantial. As a result of the width, continuous roof form and the featureless wall space above the ground floor bedroom and living room windows (plot 4), it would comprise a bland addition to the street. This would be further compounded due to the layout and appearance of plots 2 and 3, the principal elevations of which would face Overtons Way and the proposed access to the development respectively. Whilst each of these dwellings would include windows facing Devlin Drive, there would be no direct entrance or access to each of the properties from the street. Furthermore, the entrances to the proposed apartments would be more centrally positioned within the building and closer to the roundabout. Therefore, the development fronting Devlin Drive would appear bland and discordant, resulting in a fragmented street frontage which would lack sufficient visual and functional quality and engagement with its surroundings.
9. I appreciate that landscaping would be incorporated to soften the presence of the buildings and 'green' the street. Furthermore, references to traditional local style have been incorporated into the design and I find the materials proposed acceptable in this context. However, a 'place' is more complex and multifaceted than the outward visible appearance of individual buildings and well-designed places are, amongst other considerations, those which are integrated into their surroundings and relate well to the character and appearance of an area.
10. In this regard, the Government's National Design Guide³ highlights that successful streets are those where the buildings along them provide interest and active frontages, and in my view this is particularly important consideration in a prominent village location such as this. Unlike most of the other properties opposite which are more clearly integrated into the street, the proposal would appear and function as a passive form of development and, collectively, the appearance and composition of the buildings facing Devlin Drive would be insipid, resulting in a frontage which would fail to stimulate the street and

¹ Appeal reference – APP/L2630/W/18/3214039

² According to the Council this would be approximately 7.1m in height

³ National Design Guide 2019 (MHCLG)

would not take the opportunities available for improving the character and quality of the area and the way it functions.

11. I am aware that the planning application was amended during its consideration and, in consultation with the Conservation and Design officer, Council Officers recommended approval of the planning application to the planning committee, only for them to make a decision contrary to the officer recommendation. As a result, I have carefully considered the design of the proposal in light of the positive feedback received. Nonetheless, the National Planning Policy Framework (the Framework) is clear that the creation of high-quality places is fundamental to what the planning and development process should achieve, and developments should add to the overall quality of an area⁴. In this regard, the proposal would not adequately address the previous Inspector's findings⁵ and, despite the positive recommendation from officers, it would fail to provide visual interest to the street scene or make a positive contribution to the overall appearance of the area.
12. Consequently, the proposal would harm the character and appearance of the area. It would be in conflict with Policies DM1.4 and DM3.8 of the South Norfolk Local Plan Development Management Policies Document 2015 and Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) which require, amongst other matters, that development is designed to the highest possible standards and makes a positive contribution to local character and distinctiveness by promoting visually attractive frontages that have a satisfactory relationship with their surroundings. The proposal would fail to address the requirements of paragraph 130 of the Framework as it would constitute a design which would fail to take the opportunities available for improving the character and quality of the area and the way it functions.

Other Matters

13. The main parties agree that the principle of development would be acceptable, and would lie close to shops, services and a range of sustainable travel options. Based on the evidence before me, I have no reason to disagree. However, this is a matter to which I apply only limited weight, insufficient to outweigh the harm that I have identified.
14. The buildings would be energy efficient in terms of their construction and use and would boost housing supply locally. The proposal would also result in the development of a vacant site. These are matters to which I apply modest weight in relation to the 8 units proposed, but this does not outweigh the harm.
15. Several other matters have been raised by third parties, including concerns relating to highways, flood risk, ecology, and the impact of the development on living conditions and ecology. However, I have had no reason to pursue these matters further as I am dismissing the appeal for the reasons given.
16. The appellant's concerns in relation to the conduct of the planning committee are matters between the main parties and have had no bearing on my decision.

⁴ Paragraph 130 of the National Planning Policy Framework 2019

⁵ In respect of paragraph 6 of appeal decision– APP/L2630/W/18/3214039

Conclusion

17. I therefore conclude that, for the reasons given, the appeal is dismissed.

Matthew Woodward

INSPECTOR