



Appeal Decision

Site visit made on 19 May 2020

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th May 2020

Appeal Ref: APP/F2605/D/19/3243564

129 Shipdham Road, Toftwood, Dereham NR19 1NN

- 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 Nigel Goodall against the decision of Breckland District Council.
 - The application Ref 3PL/2019/1331/HOU, dated 4 October 2019, was refused by notice dated 11 December 2019.
 - The development proposed is described as a "New porch and car port. Render to front of dwelling".
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a car port. The appeal is allowed insofar as it relates to the works for a new porch and render to the front of the dwelling. Thus, planning permission is granted for a new porch and render to the front of the dwelling at 129 Shipdham Road, Toftwood, Dereham NR19 1NN in accordance with the terms of application, Ref 3PL/2019/1331/HOU, dated 4 October 2019, subject to the following conditions.
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: FRONT ELEVATION existing, 10220-2 (Block Plan and Location Plan), 10220-3 (Proposed Front Elevation (New Porch)), and GROUND FLOOR PLAN.

Preliminary Matter

2. The Council's decision notice refers to Policy COM 03 of the Breckland District Council Local Plan 2019 (the Local Plan) which relates to the "*Protection of Amenity*". However, the Council do not refer to the impact of the development on the living conditions of occupiers of the existing dwelling or adjoining properties as a reason for objecting to the development. As such, I do not find Policy COM 03 of the Local Plan relevant to the appeal before me.

Main Issue

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

Reasons

4. The appeal site forms a detached bungalow that is located within a mainly residential area that contains a variety of size and style of properties. The existing dwelling is set back some distance from the road and benefits from a garden area to the front that is used for the parking of vehicles, similar to other properties in the area. While there are examples of properties that are sited closed to the pavement, on the whole the area has a pleasant open and spacious suburban character that is reinforced by the setting back of properties along Shipdham Road.
5. The development proposes three elements; a new porch, the rendering of the front of the property and a detached single car port to be sited in the front garden. The porch would be constructed with oak posts and a tiled roof to match the existing building, along with a plinth of red brick. The porch has been designed to reflect the existing dwelling with a pitched roof and the use of complementary materials. In addition, there are examples of render on dwellings in the vicinity and I do not find this particular element objectionable. Thus, the proposed porch and render are considered acceptable.
6. Turning to the proposed car port building, this would be positioned to the front of, and orientated perpendicular to, the dwelling with a parking a turning area to its front. The car port would provide spaces for two vehicles and positioned close to the road. Notwithstanding the presence of existing landscaping in the area, the scale of the building would nevertheless result in a development that would be highly visible within the street scene and also the loss of part of the open front garden. It would reduce the spaciousness that exists in the vicinity and would be out of character with the prevailing form of openness that is created by the deep front gardens which are experienced when travelling along Shipdham Road. While I accept that existing planting on the boundary could shield the development from external views, it would take some time to mature and could not be relied upon to become permanent.
7. Thus, the development would cause material harm to the character and appearance of the area. It would be in conflict with Policies COM 01 and GEN 02 of the Local Plan and the National Planning Policy Framework which seek, amongst other things, to ensure that developments respect the character of the surrounding area.

Other Matters

8. The appellant states that the walls to the garage could be removed to make the structure more open. However, this would not overcome the scale and visual impact of the car port set forward of the main dwelling. Reference is also made to a garage that sits forward of the property at No. 50 Shipdham Road. While I noted this garage during my visit, this type of development is very much in the minority and, in any case, the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue.

Conditions

9. The Council has suggested a number of conditions should I be minded to allow the appeal. Along with the standard time condition, the approved plans should also be specified to provide certainty. As the approved plans also state the

materials to be used, there is no requirement for an additional condition to ensure the materials match the existing building.

Conclusion

10. In reaching a split decision, I find the proposed car port to be distinct and severable from the remaining elements that are considered acceptable. Therefore, having regard to the development plan when read as a whole, for the reasons given above, I conclude that the appeal should be allowed insofar as it relates to the porch and rendering, but dismissed insofar as it relates to the car port.

Graham Wyatt

INSPECTOR