The Planning Inspectorate

Appeal Decision

Site visit made on 7 September 2020

by E Brownless BA (Hons) Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: Monday, 21 September 2020

Appeal Ref: APP/K2610/D/20/3253137
23 Mill Road, Blofield, Norwich NR13 4QJ

- 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 Sellex against the decision of Broadland District Council.
- The application Ref: 20200474, dated 7 March 2020, was refused by notice dated 2 May 2020.
- The development proposed is a two-storey extension to side of existing property plus garage to front.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's reasons for refusal make reference to a number of amendments that would, in their view, make the proposal more acceptable. However, it is not for me to consider those suggested amendments as part of this appeal and I am required to determine the scheme on the basis of the plans and evidence before me.

Main Issues

3. The main issues are the effect of the proposed development on:-

   (i) the character and appearance of the host dwelling and surrounding area; and

   (ii) the living conditions of neighbouring occupants at No.23b Mill Road, with particular regard to overlooking and loss of privacy.

Reasons

Character and appearance

4. The appeal property is a one and a half storey semi-detached dwelling with asymmetrical roof profile. The adjoining dwelling has undergone a number of alterations including a sizeable flat roof single storey extension that wraps around the front, side and rear of the dwelling and a flat roof dormer window within the rear roof structure. Notwithstanding these alterations, the pair of dwellings retain a sense of balance and symmetry. Thus, I find they make a positive contribution to the streetscene.

5. The proposal would comprise a symmetrical roof structure that would be in the region of 1 metre taller than the existing roof ridge line, taking the appellant's

measurements, which have not been disputed by the Council. Despite there being other dwellings within the locality that stand in excess of the proposed height of the dwelling, the resultant significant height differential would unbalance the pair of houses and remove the symmetry. This effect would be exacerbated by the proposed extension being built along the same front build line of the existing dwelling. Whilst the proposed dormer window would be similar in style and size to that within the adjoining dwelling, it would nonetheless encourage the eye to be drawn to the roof structure.

6. Given that the majority of dwellings to the side and rear of the host dwelling are modest sized single storey dwellings, the roof structure would be highly visible. It would be seen as a bulky and discordant addition to the host dwelling. The appeal proposal would also be visible from neighbouring properties and gardens from where it would be read as a strident, unduly dominant and incongruous feature.

7. Whilst garage buildings built to the front of their dwellings are not commonplace along Mill Road, they do nonetheless exist and as such the proposed garage would not appear markedly out of place within the streetscene. However, its prominent position to the front of the host dwelling would contribute to the overall unbalancing effect between the pair of dwellings. The use of complimentary materials would not overcome the harm I have described above.

8. The appeal site does not sit within a Conservation Area nor does it benefit from the protection of any special designation. Notwithstanding that there is a variety of types and styles of dwellings along Mill Road, I consider the proposal would fail to complement the form and style of the host dwelling and would have an unbalancing effect upon the pair of semi-detached dwellings. Consequently, the development would have a significant adverse effect on the character and appearance of the appeal property and the surrounding area.

9. I conclude that the proposal would conflict with Policy 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and Policies EN2 and GC4 of the Broadland District Council Development Management DPD (2015)(DPD). Among other things, these policies require a high standard of design that reflects local distinctiveness to ensure that the built environment is conserved and enhanced.

Living conditions

10. The Broadland District Council Design Guide Supplementary Planning Guidance (SPG) (1997) specifies that a minimum distance of 24 metres between windows will normally be required in order to prevent loss of privacy. The proposed first floor rear windows would be positioned approximately 21 metres from the ground floor bedroom windows of No 23b Mill Road. This would be in conflict with the SPG.

11. The Council assert that the existing first floor bedroom window affords no opportunity for overlooking. I disagree. It is positioned below head room height, which reduces its' potential for overlooking, however, in my view, this does not entirely negate it. The proposed scheme would include a greater number of windows at first floor level than at present, however, the potential for overlooking from these windows would not be significantly greater than the situation that exists at present. Moreover, a suitably worded condition to

require obscure glazing and to restrict the opening of the proposed first floor bathroom window would reduce any opportunity for overlooking from this window.

12. Vegetation situated at the boundary with No 23b has the effect of significantly limiting views towards No 23b. I appreciate that during the winter months when foliage is less dense, this position may be reduced, nevertheless, the opportunity for overlooking would not be dissimilar from the existing situation.

13. Notwithstanding a technical breach of the guidance within the SPG, the proposal would not significantly adversely affect the living conditions of the neighbouring occupiers at No 23b Mill Road with regard to the loss of privacy. Therefore, I consider that the proposed development would broadly accord with the provisions of DPD Policy GC4 insofar as it seeks to avoid development that has a significant detrimental impact on the amenity of existing properties.

Other Matters

14. I have had regard to the appellant's desire to improve the dwelling and make more practical use of the space within. However, personal circumstances can seldom overcome general planning considerations and in this instance are insufficient to outweigh the harm I have described above.

Conclusion

15. Whilst I have found that there would be no significant adverse harm to the living conditions of neighbouring occupiers, the harm I have identified with regards to character and appearance is determinative. For the reasons given above, the appeal is dismissed.

E Brownless

INSPECTOR