



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: Wednesday, 07 October 2020

Appeal Ref: APP/F2605/W/20/3253587

Land at Beetley Grange, Beetley Grange, Beetley

- 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 Tony Westwood against the decision of Breckland District Council.
 - The application Ref: 3PL/2020/0076/F, dated 26 January 2020, was refused by notice dated 27 March 2020.
 - The development proposed is two self-build bungalows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development:-
 - (i) on the character and appearance of the surrounding area; and
 - (ii) the living conditions of neighbouring occupants of Nos 12 and 14 Beetley Grange, with particular regard to noise and disturbance.

Reasons

Character and appearance

3. The appeal site consists of a roughly flat and rectangular area of grassland set to the rear of Nos. 12 and 14 Beetley Grange. An absence of any built form within the site together with mature vegetation and trees along the majority of its boundaries gives the appeal site a pleasant and semi-rural appearance. It makes a positive contribution to the surrounding area and the wider countryside that lies beyond its boundaries.
4. Dwellings are typically arranged in a linear pattern fronting the highway with modest sized gardens to the rear. No. 11 is an exceptional form of tandem development along Beetley Grange. Whilst its rear garden extends for some distance beyond the rear boundaries of other dwellings along this part of Beetley Grange, its inimitable presence is an anomaly within the existing pattern of development and uncharacteristic of the area.
5. The introduction of two new dwellings together with additional boundary treatments, hardstanding areas and domestic outdoor paraphernalia would represent a divergence from the prevailing build line and appear as an incongruous addition to the rural landscape on which it would lie.

6. Existing dwellings and vegetation would largely screen the proposed scheme from wider public views. However, during periods when foliage is less dense, such as during winter months, some partial views into the site would be available. The visual impact of the scheme would be substantial in views through vegetation and from neighbouring dwellings. Single storey bungalows would not adequately mitigate the effect of the proposal which would be read as a prominent and discordant feature projecting into the countryside.
7. The proposal would have a significant adverse effect on the established pattern of development. It would harmfully erode the rural characteristics of the appeal site and the important contribution it makes to the setting of the wider countryside. It would conflict with Policies GEN02, HOU04, ENV05 and COM01 of the Breckland Local Plan (2019)(LP). Among other things, these policies require high quality design that respects the character of the surrounding area and protects and enhances the landscape. Additionally, it would conflict with the aims of the National Planning Policy Framework insofar as it requires development to be sympathetic to local character including the surrounding built environment and landscape setting.

Living conditions

8. The proposed development seeks to overcome the shortcomings identified by the Inspector in a previous appeal¹. The location of the access route is unaltered from the previous appeal. It would be taken along the existing narrow driveway situated alongside the flank wall to No.12 containing windows serving a dining room and lounge area.
9. Presently, there is some potential for noise and disturbance from the use of the driveway to access No. 11. Albeit the appeal scheme proposes a reduced number of dwellings, there would inevitably be significantly greater usage of the driveway than is experienced at present.
10. Despite their small size and any non-opening nature of the windows within No.12, by reason of the constrained width of the existing driveway and the consequent close proximity of passing and manoeuvring vehicles this would likely give rise to a serious adverse effect by way of noise and disturbance to the occupier of No. 12.
11. This effect would be intensified by the positioning of a detached garage adjacent to the modestly sized rear gardens and private amenity areas of Nos. 12 and 14. The use of tarmac would not overcome the harm I have described above.
12. The proposal would result in a significantly unacceptable standard of living conditions for the occupants of Nos 12 and 14 Beetley Grange. It would conflict with LP Policy COM03 insofar as this policy prevents development which causes unacceptable effects on the residential amenity of neighbouring occupants.

Other Matters

13. Given the proximity of other dwellings, the appeal site is not considered 'isolated' for the purposes of applying planning policy.

¹ APP/F2605/W/16/3150789

14. The appeal site is situated within a sustainable location. Future occupants of the proposed dwellings would inevitably contribute towards local services and facilities and help to enhance or maintain the vitality of the rural community. However, the associated benefits would be modest and the contribution of two dwellings would not significantly boost housing land supply.
15. The appellant's intention to promptly self-build the proposed scheme weighs modestly in favour of the proposal.
16. The proposed scheme as bungalow type dwellings could be occupied by older persons, for which I am advised there is a need for this type of dwelling within the district. However, there is no substantive evidence before me regarding the need for this type of dwelling, nor anything before me that would limit occupation to a specific group of persons. As such, I attribute only negligible weight to this matter.
17. Agricultural use of the land may consequently limit any alternative uses of the appeal site. However, these circumstances can seldom outweigh general planning considerations.
18. The appellant contests whether the Council are able to demonstrate a five-year supply of housing land. The Council have not provided any comment in response. However, even if I were minded to accept the Council were unable to demonstrate a five year supply of land for housing, as the appellant alleges, then the weight to be given to the proposal's benefits in respect of the provision of the additional dwellings would increase. However, bearing in mind the modest scale of the scheme this would not be sufficient to overcome the substantial harm that has been identified above in respect of the conflict with the development plan, which would significantly and demonstrably outweigh the scheme's benefits.

Conclusion

19. The appeal is dismissed.

E Brownless

INSPECTOR