
Appeal Decision

Site visit made on 12 January 2021

by **David Spencer BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 01 March 2021

Appeal Ref: APP/Y2620/W/20/3258366

49 Northfield Road, Mundesley NR11 8JN

- 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 Mrs Helen Ship against the decision of North Norfolk District Council.
 - The application Ref PF/20/0830, dated 15 December 2019, was refused by notice dated 28 July 2020.
 - The development proposed is a new dwelling to south of the property.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issues

2. The application date in the banner above is taken from the planning application form. The proposal was amended during the course of its determination by the Local Planning Authority (LPA) in respect of the number of parking spaces. The LPA determined the proposal on this amended basis and so shall I.
3. The main issues in this appeal are firstly, the effect of the proposed dwelling and parking provision on the character and appearance of Northfield Road, and secondly, the effect of the proposed dwelling on the living conditions of the occupiers of adjacent dwellings with particular reference to outlook.

Reasons

4. Northfield Road predominantly comprises of a mix of semi-detached houses and bungalows that are generously separated on reasonably spacious plots. There is a clear rhythm to the distribution of housing which is a strong feature of the original residential character of Northfield Road, including the appeal site and its host dwelling. Some of the two storey dwellings in this part of Northfield Road have a modest single storey side projection and some have car ports to the side of dwellings but these do not harmfully interrupt the pattern of development or materially reduce the sense of spaciousness between the dwellings. No.49 Northfield Road does not have a single storey side projection such that the area to the southern side of the dwelling is moderately larger than to be found elsewhere. A small single storey brick outbuilding currently occupies part of this side area, but this does not materially affect the positive contribution of the appeal site to the regular separation between dwellings.
5. The scale and position of the proposed two-storey dwelling would occupy most of the width of the available side garden area. Consequently, it would substantially erode the characteristic spaciousness between Nos. 47 and 49

Northfield Road. Due to its position very close to the southern boundary of the plot, the degree of separation to No.47 would not be characteristic of the prevailing pattern of development where conjoined open side areas give rise to a particular degree of openness between dwellings. Moreover, the very narrow side gap to the host dwelling at No.49 would create an unusually tight pattern that would significantly harm the prevailing spaciousness. The appeal proposal would result in an anomalously dense arrangement within the original layout of Northfield Road.

6. I note that where Northfield Road terminates a short distance to the north-east from the appeal site, including directly opposite, there is a more clustered layout to the houses, including short terraced forms. This is clearly a later development, readily distinguishable from the original spacious pattern which includes the appeal site. I am not persuaded that this later layout of housing should set the pattern for development within the original part of Northfield Road which remains an intact example of the relatively generous design standards of rural local authority housing of the mid-Twentieth Century. Accordingly, the cramped layout of the proposed dwelling and resultant terracing effect due to the proximity of No.49 would not sympathetically respond to the local context described or maintain the area's prevailing character.
7. Northfield Road is generally characterised by verdant front gardens with off-street parking limited, principally to 1 space and only occasionally 2 spaces. There is a noticeable 'green feel' to the front of dwellings such that off-street parking is not a dominant feature of the street scene. There are some scarce examples of consecutive front areas given over to parking spaces, but these are not the prevailing pattern. Within the established local context, the proposed off-street parking layout would result in an extensive area that would appear harmfully cluttered when fully occupied and visually barren when vacant, resulting in a layout distinctly and harmfully at odds with the predominantly 'green feel' of the street scene in this part of Northfield Road.
8. I therefore conclude that the proposed dwelling and parking provision would result in significant harm to the character and appearance of Northfield Road. This would be contrary to the provisions of Policy EN4 of the North Norfolk Local Development Framework Core Strategy 2008 (the CS) which whilst encouraging the efficient use of land nonetheless requires development to respect the density and character of the surrounding area, be suitably designed for the context within which they are located and ensure that car parking provision is discreet. In this regard the proposal would also fail to accord with the National Planning Policy Framework (NPPF) at paragraphs 122(d), 124 and 127(a-d) in terms of ensuring that development adds to the overall quality of the area, is visually attractive in terms of layout, is sympathetic to its context and maintains a strong sense of place.

Living Conditions

9. The appeal proposal would introduce two storey development in very close proximity to the southern elevation of No.49 and would moderately extend beyond the rear building line of No.49. On the side elevation of No.49 there are two first floor openings (one obscure glazed) and a side door and one window at ground floor level. All of these openings would face directly onto a shady narrow side passage and almost immediately onto the blank two storey

side elevation of the proposed dwelling. The proximity, mass and scale of the proposed dwelling would be oppressively close to No.49, removing the conventional sense of openness associated to the side of dwellings as part of the original layout of Northfield Road. I find this aspect of the appeal proposal would result in moderate harm to the amenities of the occupiers of No.49.

10. Whilst the rearward position of the proposed dwelling would create some shadowing effect to the rear of No.49 there would be large parts of the day, particularly in summer months, where this would not be an issue. There would be no significant enclosure or overbearing effect on the private amenity space to the rear of No.49 which would retain a predominantly open aspect to the west, including across adjoining open rear gardens.
11. In respect of the outlook from No.47 there is one opening at first floor level together with a side door and two windows at ground floor level on the side elevation facing the appeal proposal. Whilst the position and scale of the proposed dwelling would be prominent in the outlook from these windows, there would remain a reasonable degree of separation from an amenity perspective due to the width of the side area to No.47. Due to its backward projection the proposed dwelling would be conspicuous when in the rear garden of No.47 but it would not materially reduce the openness of this amenity space, including the principal open aspect to the west and across the adjoining open rear gardens to the south. Accordingly, the proposed dwelling would not have a significantly harmful overbearing effect on the use of this space.
12. I therefore conclude that whilst there would be no significant harm to living conditions of occupiers of No.47, there would be a level of moderate harm on the living conditions of occupiers of No.49 with regards to the overbearing proximity of the proposed dwelling to the southern elevation. CS Policy EN4, however, sets a threshold of a significantly detrimental effect on the residential amenity of nearby occupiers (my emphasis). The appeal proposal would not meet this threshold and so would not be contrary to this part of CS Policy EN4 or conflict overall with the objective to secure high standards of amenity as set out at NPPF paragraph 127(f).

Balance and Conclusion

13. Whilst I have found that there would be some moderate harm in respect of living conditions, and so not amounting to significantly detrimental harm in terms of development plan policy, it would nonetheless remain that the significantly harmful impact of the proposed dwelling and parking provision on the character and appearance of the area would not create a high quality building and place. This is fundamental to what the planning and development process should achieve as required by the development plan at CS Policy EN4 and the NPPF. The significant and demonstrable harm to the prevailing character identified would outweigh the absence of any significant amenity harm and so justify the refusal of planning permission. I have taken into account all other matters raised, including the sustainability of Mundesley as a location for additional housing, but there is nothing that leads me to conclude otherwise that the appeal should be dismissed for the reasons given.

David Spencer

Inspector.