



Appeal Decision

Site visit made on 25 March 2021

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 May 2021

Appeal Ref: APP/L2630/D/20/3264432 104 West End Costessey NR8 5AJ

- 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 George Carrs against the decision of South Norfolk Council.
 - The application Ref 2020/1747, dated 16 September 2020, was refused by notice dated 2 November 2020.
 - The development proposed is a front dormer and rear first floor extension.
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Decision

1. The appeal is dismissed insofar as it relates to the rear first floor extension.
2. The appeal is allowed insofar as it relates to the front dormer, and planning permission is granted for a front dormer at 104 West End Costessey NR8 5AJ in accordance with the terms of the application, Ref 2020/1747, dated 16 September 2020, so far as relevant to that part of the development hereby permitted and subject to the following condition:
 - 1) The proposed front dormer shall be constructed in accordance with approved plan 'Proposed Plans, Elevations & Block Plan,' DRG No:PL01 Rev C, By Studio 35, Dated December 2019.

Preliminary Matters

3. Both of the extensions were in situ at the time of my site visit. I have therefore made my decision on this basis.

Main Issue

4. The main issue is the effect of the first floor rear extension upon:
 - The existing building and the character and appearance of the locality;
 - The living conditions of the neighbouring occupier, with particular attention to the scale, appearance and position in relation to the neighbour.

Reasons

Character and appearance

5. The appeal site contains a semi-detached dwelling which appears to have been constructed in the mid-late twentieth century alongside detached bungalows and two storey dwellings. The appeal building is relatively modest in size with a steep pitched and gabled roof and accommodation within the roof space, brick walls and maintains setbacks to side boundaries with a large rear garden. The dwellings along West End Road form a linear development that are modest in

scale with domestic sized alterations and extensions which are proportionate to the existing dwellings. Visual gaps are located between buildings to the fields and River Wensum beyond which together with vegetated setbacks gives an open, leafy and spacious feel in and around the dwellings. As the appeal site forms half of a pair of semi-detached dwellings, there is also an inherent relationship and comparable forms from the appeal site to the neighbouring semi-detached dwelling. Along with the modest designs, massing and materials of the dwellings, these elements contribute positively to the local character and distinctiveness of the locality.

6. The first floor rear extension has the form of an enlarged box dormer which extends the entire width of the roof plane and from the pitch of the rear roof plane, however extends above a single storey rear extension also to 'effectively square off' the rear of the building. The proposed extension is very large and excessively so, in that the extension is not subservient, but the massing and visual bulk of the extension dominates the existing roof form and has an awkward and discordant juxtaposition with the existing design of the dwelling. The extension is unlike anything around and would not embrace the positive qualities of local distinctiveness which are found within the locality. The size of the extension is also very prevalent within the street scene and further demonstrates its inappropriateness. Whilst I agree with the applicant that the appeal building is of modern provenance and of limited architectural interest; the scheme still needs to be of an appropriate addition which reflects development plan policies regarding design, massing and responding to the local context and the character and appearance of the local area.
7. I note discussion in the applicant's Statement of Case (SoC) with regards to an application for a two storey rear extension with flat roof at 114 West End, which is a detached Grade II listed building. I am not convinced that the two schemes are alike, given that the extension to 114 West End is proportionate in depth, bulk and massing to the original detached dwelling, unlike the appeal site which is semi-detached and the extension is disproportionate to the particular design of the dwelling. That said, the scheme at No.114 does not add any weight to the consideration of the appeal proposal.
8. In conclusion on this matter, the proposed scheme would increase the size of the existing dwelling in a way which would not reflect the local character and appearance of the locality. The extension is excessive when compared to the modest proportions of the existing dwelling and is discordant to the modest sized dwellings within this context, resulting in an awkward juxtaposition that results in an inappropriately designed scheme.
9. Consequently, the scheme would not reinforce the qualities of local character and distinctiveness and would be harmful to the character and appearance of the existing building and the locality. This would be contrary to South Norfolk Local Plan Development Management Policies Document 2015 (DMP) Policy DM1.4(d, i) (which seeks to make a positive contribution to local character and distinctiveness); Policy DM3.4(a) (which seeks to incorporate good quality design which maintains or enhances the character and appearance of the building, street scene and surroundings); and Policy DM3.8(4,a) (which seeks that scale, height, massing, form and appearance of development is designed with a satisfactory relationship of structures, spaces and routes within the site and a successful integration into the surroundings).

Living Conditions

10. The Council perceives the main harm from the rear first floor extension towards the neighbours at No.106 West End which represents the neighbouring component of the semi-detached dwelling. No.106 West End has a small paved area to the rear of the dwelling which then extends to the greater garden area. The ground floor extension of the appeal site adjoins the boundary of the neighbouring paved area, whilst the first floor rear addition creates a two storey wall to the paved garden area of the neighbour. Given that this is the formal paved component of the neighbour's rear garden, the two storey blank wall along the side of the paved space does present a poor, oppressive and overbearing experience to users of this area.
11. At first floor level the wall of the rear first floor extension to the appeal site extends along the party wall boundary, with this wall being approximately 12 centimetres from the neighbouring dormer window according to the Planning Officer's Report. The applicant's SoC contains an internal photo of the bedroom of the neighbouring property in order to illustrate the illumination of the room. However it is noted that the room is also lit by artificial lighting so the full effect of the extension on light levels to the neighbouring room cannot be appreciated from this photograph. Whilst there is also reference to the British Research Establishment Guidance on daylight and sunlight there are no calculations of daylight levels to support the scheme. However, the reason for refusal shows that the Council is more concerned that the extension presents an 'overbearing and oppressive' environment for the neighbouring residents which has considerations additional to purely a loss of light. What is clear by the photograph in the applicant's SoC and from my site visit is the poor level of outlook which would be experienced from the neighbouring property. Whilst direct views to the rear garden towards the north would be possible, the neighbouring dormer window at first floor level would have a blank wall in very close proximity which does present a poor and restricted outlook from this first floor window.
12. I appreciate that the neighbouring residents have commented that they accept the current conditions and do not feel aggrieved by the extension. However, this is not to say that future neighbours will be of the same opinion, and that the acceptance of the scheme by neighbours does not equate to compliance with the development plan. I also note that there is a desire from the neighbours to erect a similar extension to the appeal site in order to reinstate some of the symmetry between the semi-detached dwellings. However, this is not a matter before me and any future extensions would need to be considered under the provisions of the development plan at that time.
13. In conclusion on this matter, and considering the above as a whole, the distance and location of the extension to the neighbouring private paved area and the window at first floor level presents an oppressive and overbearing experience which would be an unreasonable level of amenity to the neighbouring property at No.106. Consequently the first floor rear extension is contrary to LP Policy DM3.4(b) (which seeks that residential extensions do not have unacceptable impact on the amenities of neighbouring occupiers); and DM3.13((1) b) 9 which seeks that development has maintains a reasonable standard of amenity in terms of loss of day light, overshadowing and overbearing impact.

Other Matters

14. The proposal includes a front dormer window. Whilst overly elongated, it is modest in size and generally proportionate to the form and composition of the appeal building. I therefore find no harm in respect of this element of the proposal and I note the Council raised no objection in this regard either. The appellant requests that a split decision be considered. As the front dormer and first floor rear extension are both physically and functionally severable I consider a split decision would be a logical outcome. That said, the front dormer window is compliant with LP Policies DM3.4 and DM3.13.

Conclusion and Conditions

15. For the reasons given above, I conclude that the appeal should succeed in relation to the front dormer. However, in relation to the first floor rear extension the appeal should be dismissed.
16. In respect of the front dormer, as the development is retrospective, there is no need for the standard time limit condition. The condition regarding the dormer having been constructed in accordance with the approved plan is necessary as this provides certainty to the scheme which has been approved.

J Somers

INSPECTOR