



Appeal Decision

Site Visit made on 15 June 2021

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th July 2021

Appeal Ref: APP/K2610/W/20/3265642

Aldersbrook, Woodbastwick Road, Blofield, Norwich NR13 4QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr S Hall (NR2 Properties Ltd) against the decision of Broadland District Council.
 - The application Ref 20201644, dated 27 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is described as "demolish single bungalow and erect two new houses".
-

Decision

1. The appeal is allowed and planning permission is granted to demolish single bungalow and erect two new houses at Aldersbrook, Woodbastwick Road, Blofield, Norwich NR13 4QH in accordance with application Ref 20201644, dated 27 August 2020, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: MJSM24082020 DRW A and MJSM12082020 Indicative Design insofar as they relate to the development hereby approved.

Preliminary Matter

2. The planning application was submitted in outline form with all matters reserved for future consideration. Matters relating to access, appearance, landscaping, layout and scale are reserved for future determination. The appellant has provided an indicative layout which I have treated as illustrative for the purposes of this appeal.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the area, and,

- living conditions of future occupiers with particular regard to amenity space and the living conditions of adjoining occupiers with particular regard to overlooking and privacy.

Reasons

Character and Appearance

4. The appeal site sits on the corner of Woodbastwick Road and Francis Lane and contains a bungalow which is set back from the road. The property benefits from a large curtilage area that extends to the front, side and rear of the property. The proposal seeks to demolish the existing bungalow and replace it with two houses. The indicative plan shows the proposed dwellings to be aligned to the north and south of the site, with the southern property accessed via Francis Lane and the northern property via Woodbastwick Road. Each property would be provided with a private garden area to the rear of the dwelling and additional amenity space to the front.
5. From its officer's delegated report, the Council acknowledge that the development would provide reasonable sized plots at some 330m². However, it is considered that this is more suitable to an urban area and not a semi-rural one such as the appeal site. Whilst I accept that there are properties that benefit from larger garden areas which display a more open and spacious character, I do not find this be reflective of the whole area which contains a wider range and density of property, such as those at Rosemary Road and Cardun Close.
6. With this in mind, although I find the area to be generally residential in character, it contains a variety of style and size of property that, on the whole, are sited within modest plots. I do not find this to represent an obstacle to the proposal which is reflective of the density of development that has taken place in the vicinity of the appeal site.
7. Furthermore, the indicative plans demonstrate that there is scope to develop the site with two dwellings without harming the street scene which has a varied and diverse character. Moreover, the introduction of a further development of dwellings at the site would not result in the erosion of any identified or established character that would otherwise harm the appearance of the area. Additionally, given the variation in the street scene in the vicinity of the appeal site, I also find that the area has the capacity to accept additional development in the form proposed. The proposal would have the ability to assimilate with the surrounding pattern of development without appearing cramped and or resulting in harm to its character or appearance.
8. Thus, the development would not be in conflict with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (the JCS), Policy GC4 of the Broadland District Council Development Management DPD 2015 (the DPD) and Policy HOU4 of the Blofield Parish Neighbourhood Plan 2015 which seek, amongst other things, that proposals pay adequate regard to the environment, character and appearance of an area.

Living Conditions

9. The Council argue that the Broadland Design Guide 1997 (the BDG) states that private garden areas should be of an adequate size and shape, large enough to allow potential extensions and provide a garage, greenhouse or shed. The existing criteria also requires a depth of 10m, which could be reduced in urban areas. However, as the site is not considered to be within an urban area, such a reduction would be unacceptable.

10. I acknowledge that the indicative siting provided by the appellant shows a depth of some 7.5m to the rear of the northern plot, it is nonetheless evident that the site has adequate space within the site to provide an adequate amount of garden space. Moreover, notwithstanding that the Council considers the site to be semi-rural, it is nonetheless residential in nature and a separation distance of 7.5m at this particular site need not be harmful to future occupiers of the dwelling.
11. Moreover, with regard to overlooking to the properties to the north and west of the appeal site, although I acknowledge that the BDG states that a minimum of 24m between habitable windows should normally be achieved, a lower limit of 4m is required in other instances as set out therein. There are a number of examples within the vicinity of the appeal site whereby dwellings are sited in close proximity to one another without causing undue overlooking to neighbouring properties. Consequently, I am not persuaded that the site's technical breach with the BDG should be a hinderance to developing the site with two dwellings.
12. Whilst noting the planning history of the site, each application must be considered on its own merits. Furthermore, the Council has full control over the siting and external appearance of the proposed dwellings through the reserved matters application that would be required to be approved before any development at the site could occur.
13. Thus, the development would not result in harm to the living conditions of adjoining occupiers. It would not be in conflict with Policy GC4 of the DPD which seeks, amongst other things, to ensure that developments consider the impact upon the amenity of existing properties.

Other Matters

14. I note that representations were made by local residents, some of whom raise additional concerns. Norfolk County Council as Local Highway Authority considered the proposal and did not raise an objection to the development, subject to matters relating to access and parking being provided in accordance with adopted standards at reserved matters stage. From the evidence that has been provided, I find no reason to disagree with that assessment. In addition, there is nothing before me to suggest that the site is the subject of flooding or within a flood zone.

Conditions

15. The standard time conditions for outline planning permission and the submission of reserved matters details is required. In addition, in the interest of certainty, the approved plans should also be specified.

Conclusion

16. For the reasons given above, and having regard to the development plan when read as a whole, the appeal is allowed.

Graham Wyatt

INSPECTOR