
Appeal Decision

Site Visit made on 21 September 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2021

Appeal Ref: APP/F2605/W/21/3269666

Rear of Spencer Lodge, Stone Road, Dereham NR19 1LJ

- 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 Mick Gore against the decision of Breckland Council.
 - The application Ref 3PL/2020/1066/F, dated 16 September 2020, was refused by notice dated 27 November 2020.
 - The development proposed is described as 'new dwelling'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Both parties have been consulted in relation to the revised Framework. As such, I have had regard to it in my consideration of this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal site and surrounding area.

Reasons

4. The appeal site comprises an area of unused land between two residential properties, Spencer Lodge and Oak View. Within the surrounding area, properties which front Stone Road, are typically set within spacious plots. Although the appeal site is separated from Spencer Lodge by a boundary fence, when viewed in conjunction with Spencer Lodge, it plays an important role in contributing to the prevailing spacious character of development on Stone Road. To the rear of Spencer Lodge, the residential properties of Oak Lodge and Oak View are more tightly developed.
5. The proposed development is for a single storey dwelling. The proposed dwelling would largely fill the existing gap between Spencer Lodge and Oak View, which would result in a cramped appearance that would not be in keeping with the character and appearance of the more spacious development in the surrounding area, particularly on Stone Road. Whilst the properties at Oak Lodge and Oak View are located in closer proximity to each other, this relationship runs counter to the prevailing character and these properties are set further back from Stone Road than the appeal site, such that they are not

prominent in the street scene. In contrast, the visual harm of the proposed development would be visible from Stone Road, through the existing access.

6. The site has been the subject of previous planning applications and subsequent appeals for similar development to that which is currently proposed. The evidence before me indicates that all of the previous appeals were dismissed. I have been provided with a copy of the most recent dismissed appeal decision¹, dated July 2017. In this appeal, which dealt with a proposed dwelling on the same site, the inspector concluded that the proposed development would have a harmful impact upon the spacious character of the surrounding area. This conclusion is consistent with my findings in relation to this current appeal.
7. Since the most recent appeal was dismissed there have been various changes in both national and local planning policy. A revised version of the Framework was published in 2021 and the Breckland Local Plan was adopted in November 2019. However, both still seek to ensure that new development is in keeping with the character of the surrounding area.
8. The appellant suggests that the policy basis for considering development within the settlement boundaries has changed and he has referred to other development granted planning permission by the Council in the wider surrounding area. However, whilst the principle of development within the settlement boundary may be considered acceptable, this does not overcome the harm which the proposed development would cause to the character and appearance of the surrounding area. Furthermore, none of the examples provided by the appellant alter the character of development within the immediate vicinity of the appeal site. In any event, each case should be considered on the basis of the site-specific circumstances which apply. As such, none of the examples provided justify the harm which would be caused by the proposed development to the character and appearance of the surrounding area.
9. In summary, the proposed development would result in a cramped appearance, which would have a harmful impact upon the character of the surrounding area. As such, the proposed development conflicts with Local Plan (2019) policies GEN02 and COM01, which seek in part to ensure that new development is of a high-quality design which is in keeping with local character. Local Plan (2019) policies COM03, GEN03 and HOU06 are not relevant to this main issue.
10. The proposed development also conflicts with Framework Paragraph 130, which requires that new development is sympathetic to local character.

Conclusion

11. The proposed development conflicts with the development plan taken as a whole. There are no other considerations raised which suggest that a decision should be made other than in accordance with the development plan. As such, the appeal is dismissed.

Luke Simpson

INSPECTOR

¹ Appeal Ref: APP/F2605/W/17/3170501