



Appeal Decision

Site visit made on 7 December 2021

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/L2630/W/21/3275905

Land south of Kestrel Avenue, Costessey, Norfolk NR8 5FT

- 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 Wimburg Corporation against the decision of South Norfolk Council.
 - The application Ref 2020/1157, dated 24 June 2020, was refused by notice dated 11 March 2021.
 - The development proposed is the erection of 2 bungalows with associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposal from the Council's decision notice. This is because that in the original application related to a scheme which was subsequently amended from that set out above.

Main Issues

3. The main issues in the appeal are the effect of the proposal on the character and appearance of the area and whether this would secure acceptable living conditions for future and neighbouring residential occupiers.

Reasons

Character and appearance

4. The proposal is for a semi-detached pair of chalet bungalows, with the two first floor bedrooms in each unit accommodated by means of dormer windows within the rear roof slope and roof lights to the front. The bungalows would have small back gardens at the rear and car parking to the front and to one side.
5. The site fronts onto a spine road within a large and quite recently built housing estate. The land currently comprises a segment of the linear grassed area running alongside this road, behind which the frontage housing is positioned. The land in question has the appearance of the rest of this linear communal open space. Evidently, this particular site is a leftover part of a larger neighbourhood centre scheme which did not proceed. The area has now been subsumed into the housing and open space that has subsequently been provided in this location.

6. Terraced blocks of three storey town houses stand to the rear and directly to one side of the appeal site. There would be just a small gap between one end of the semi-detached pair and the three dwellings that would front this side of the proposal. At the rear, only their small back gardens would separate the chalet bungalows from the front elevations of the houses behind. In form, design, scale and position, this scheme would be very cramped and appear highly incongruous. To the fore of a coherent street scheme featuring taller blocks of town houses of a uniform scale and character, and occupying part of their currently open setting, this proposal would be entirely discordant and detract from the present visual qualities of the street scene. Of an intrinsically poor and unsympathetic design, the scheme would have a pronounced and entirely unsatisfactory effect upon the character and appearance of this residential area.
7. For these reasons, the proposal would conflict with Local Plan¹ policies DM3.8 and DM1.4 with regard to development achieving high quality in design and taking into account local distinctiveness. In this case, there would be significant harm arising from the conflict with these policies.

Living conditions for future and neighbouring residential occupiers

8. The two dwellings proposed would hem in the existing dwellings to the side and rear and have an unacceptably overbearing impact on their outlooks, diminishing markedly the open aspects towards the street that these existing homes currently benefit from. Particularly in respect to the existing homes closest to the side boundary, but in respect to all the surrounding dwellings, this scheme would be highly unneighbourly and detract substantially from the living conditions provided to these existing residential occupiers.
9. The eight car parking spaces proposed seem to amount to an over-provision. In any event, the vehicular movements in and out of these spaces, where positioned close to the adjacent existing homes, would introduce noise and disturbance. The same would apply to the use of the two small back gardens, which would be very close to the front elevations of the adjacent houses. The location of the waste and recycling bins would also be harmful to the living conditions of the closest dwelling, due to the potential for odour and noise when being moved for emptying.
10. The need for all the rear windows to the proposed dwellings to be obscure glazed is indicative of their unsatisfactory relationship with the existing houses. These windows would also need to be non-opening to fully avoid overlooking of neighbours. Such obscure glazed, non-opening windows would contribute to the dwellings proposed offering generally poor living conditions for future occupiers. These windows would also be over-shadowed by the existing townhouses, the proximity of which would also mean the back gardens of the bungalows would be both without privacy and subject to a confined and overbearing outlook.
11. For the reasons discussed, this proposal would fail to provide acceptable living conditions for future and neighbouring residential occupiers, due to significant levels of overlooking, cramped positioning and overshadowing. This would be in conflict with Local Plan Policy DM3.13. As with the first main issue, there would be significant harm arising from the conflict with this policy.

¹ South Norfolk Local Plan Development Management Policies Document – adopted version October 2015.

Planning balance and conclusion

12. The dwellings would have convenient access to a range of amenities, including public open space and leisure services. This provides for an absence of harm in this regard, rather than compelling support for the proposal. The accommodation proposed would be designed to lifetime home standards and there would be further small benefits towards overall housing supply and the local economy. The principle of further housing in this residential location is not a matter of dispute, but not as proposed nor indicative of this being appropriate within this particular site.
13. The National Planning Policy Framework is relied upon in the case made by the appellant. However, this establishes good design to be a key aspect of sustainable development, so as to create better places in which to live and work, which is an objective this proposal directly conflicts with. Any small benefits of this proposal would be substantially outweighed by the significant harm to the character and appearance of the area and from the unsatisfactory effects on residential living conditions identified. For these reasons, I conclude that the appeal be dismissed.

Jonathan Price

Inspector