



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/K2610/W/21/3281344

46 Taverham Road, Drayton, Norwich NR8 6RY

- 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 M Turner & C Key against the decision of Broadland District Council.
 - The application Ref 20210625, dated 23 March 2021, was refused by notice dated 16 June 2021.
 - The development proposed is sub-division of rear garden for new detached bungalow and garage.
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Decision

1. The appeal is allowed, and planning permission is granted for sub-division of rear garden for new detached bungalow and garage at 46 Taverham Road, Drayton, Norwich NR8 6RY in accordance with the terms of the application, Ref 20210625, dated 6 April 2021, subject to the conditions set out in the annex to this decision.

Main Issues

2. The main issues in this appeal relate to the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of occupiers of neighbouring dwellings, with particular regard to the level of noise and disturbance from increased vehicular activity.

Reasons

Character and appearance

3. The proposal relates to the rear part of the quite long back garden of a detached bungalow, which has permission to be replaced in roughly the same position by a detached house. The large house next door at No 44 has a rather longer back garden. There is permission for a bungalow in the rear part of this garden, which because of its greater length would be set significantly further back in comparison with this scheme, allowing the host house at No 44 to still maintain a reasonably long back garden.
4. The permitted bungalow at No 44 has a separate access to the host dwelling, reached by means of the right of way that runs alongside this property. Such a situation is not available at No 46, and the proposed bungalow would rely on an access running in the gap left between the new house and the boundary

- with No 44. Furthermore, the shorter plot at No 46 would leave the permitted replacement house with a quite modest back garden relative to its size.
5. The property at No 48 is a detached bungalow, of similar scale and position to that currently standing at No 46. This has a slightly longer back garden than No 46, partly occupied by rear extensions and outbuildings.
 6. The hipped roofed bungalow proposed would be of a low profile and set back behind the host dwelling, eventually to be replaced by a taller house, and would not be readily visible in the street scene. There is a comparable bungalow, albeit set further back, allowed at No 44. No 48 retains a long back garden. However, beyond this the layout and grain of development alters and there is no sequence of further detached properties within the same deep and quite narrow plots. This scheme would neither be quite so cramped as the dwelling refused not far away on appeal at 116 Fakenham Road, Taverham¹, nor in comparison appear quite as incongruous. This is because here there is not the same long stretch of similarly laid out dwellings as at Fakenham Road.
 7. For these reasons, I consider that this proposal would relate suitably with the character and appearance of the surrounding area and, as such, would satisfy Policy 2 of the Core Strategy², Development Management³ (DM) Policy GC4 and Policy 1A of the Drayton Neighbourhood Plan, insofar as these seek a good design of development.

Living conditions

8. As a consequence of this proposal, the property at No 46 is proposed to be developed for two dwellings. In either the event of the existing bungalow remaining, or the permitted house being built, this scheme would involve a drive along one side of the dwelling to the front. There would be the passage of vehicles and people along this access, as well as the additional activity within the plot associated generally with occupation, such as cars starting and manoeuvring to park.
9. There would be some impact from this proposal on the living conditions available at No 46, whereby future occupiers would not benefit from the same degree of seclusion and quietude currently provided. However, the new occupiers of the existing and proposed dwellings would have the benefit of consumer choice over whether to occupy the accommodation provided. Living conditions vary within residential areas, including in respect of levels of traffic noise and other sources of disturbance. My view is that the host dwelling, or its replacement, as well as this proposal, would provide acceptable living conditions for any future occupiers.
10. Similar impacts would bear upon occupiers at No 44, and there would be some adverse effect on present living conditions, with increased noise and disturbance due to the movements along the adjacent drive and within the new residential site. There would be the same kinds of impacts on the occupiers at 48, to a somewhat lesser degree. However, the level of noise and disturbance resulting from the proposal is not considered to be such as to lead to

¹ Ref: APP/K2610/W/20/3256020 Land to the rear of 116 Fakenham Road, Taverham, Norwich, NR8 6QH – new single storey three bedroom dwelling – appeal dismissed 21 December 2020.

² Greater Norwich Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk (2011 amended 2014)

³ Broadland District Council Development Management Policies Document (2015).

unacceptable living conditions for residents at either of these next-door dwellings.

11. Regarding concerns raised by neighbours, the proposal would result in a second bungalow adjacent to the rear boundary to 29 Sheridan Close, which the plots at Nos 44 and 46 back onto. However, I do not consider the dwelling and the vehicular access running further within the site, once occupied and in operation, would result in material harm to the living conditions available at this neighbouring address.
12. In the consideration of design, DM Policy GC4 requires proposals to meet the reasonable amenity needs of all potential future occupiers and to consider the impact upon the amenity of existing properties. For the reasons explained, this proposal would satisfy these requirements and comply with this policy.

Planning balance

13. This proposal would make effective use of land within an existing residential area, where there is convenient access to services and facilities. The scheme would meet a demand for single storey accommodation and contribute to an overall need for more housing. In the balance of considerations, this proposal is considered to be acceptable.

Conditions and conclusion

14. I have considered the Council's recommended conditions against the tests set out in paragraph 56 of the National Planning Policy Framework. These are that conditions be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In addition to the standard condition setting a three-year time period for commencement, it is necessary in the interests of certainty for another to specify the amended plans approved.
15. In the interests of highway safety conditions are also necessary governing the construction of the access and maintenance of visibility onto the public highway and to ensure the provision of on-site parking. Due to the relatively small size of the plot, a condition is justified removing the normal permitted development rights for enlargements and roof alterations to the bungalow.
16. Subject to these conditions, and for the reasons given above, I conclude that the appeal should be allowed.

Jonathan Price

Inspector

Annex: Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan received 23 March 2021; amended plot and site layout plan received 26 May 2021; amended elevations of bungalow and garage received 26 May 2021; overall site layout and road access to new bungalow received 26 May 2021.
- 3) Prior to the first occupation of the development hereby permitted the vehicular access serving the site from Taverham Road shall be upgraded/widened to a width of 5 metres and surfaced in accordance with the Norfolk County Council residential access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway, and arrangements made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 4) Prior to the first occupation of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 5) Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking areas shall be laid out in accordance with the approved plan and retained thereafter available for these specific uses.
- 6) No enlargement, improvement or other alteration of the dwelling [Class A]; no additions or alterations to the roof [Class B & C] or any other works as defined by Classes A, B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), shall be erected or brought onto the land unless an appropriate planning application is first submitted to and approved by the local planning authority.
