



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: 17 December 2021

Appeal Ref: APP/L2630/W/21/3276043

Land adjacent to No. 7 Longwater Lane, Costessey, Norwich NR8 5AH

- 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 David Thomson against the decision of South Norfolk Council.
 - The application Ref 2021/0211, dated 25 January 2021, was refused by notice dated 26 March 2021.
 - The development proposed is new dwelling and access drive.
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Decision

1. The appeal is allowed, and planning permission is granted for new dwelling and access drive at land adjacent to No. 7 Longwater Lane, Costessey, Norwich NR8 5AH in accordance with the terms of the application, Ref 2021/0211, dated 25 January 2021, subject to the conditions set out in the annex to this decision.

Preliminary Matters

2. The application was made in outline with all detailed matters reserved for later consideration apart from access. I have dealt with the appeal accordingly and considered the layout for a chalet bungalow shown in the location plan as indicative of how the proposal might be taken forward. Access would be via a separate shared entrance serving fields and paddocks sited beyond the appeal site.

Main Issue

3. The effect on the character and appearance of the area.

Reasons

4. The dwelling proposed would occupy garden land to the rear of an existing dwelling, replacing a Nissen hut and various outbuildings. A further outbuilding containing a swimming pool also occupies this rear area and the proposed plot would be adjacent to this. No. 7 is the last dwelling along this side of the road, beyond which there is a building housing a veterinary business and then a large undeveloped gap. On the opposite side of the road there is a community centre, car parking and sports fields.
5. Unlike the preceding detached dwellings, No. 7 is sited perpendicularly to the road, rather than facing onto it. As indicated in the submitted layout, a dwelling on the proposed plot could follow a similar arrangement. Such a layout would provide both the existing and proposed dwellings adequate space to the front and back. Therefore, the proposal would not result in an overly cramped layout

for the resulting two dwellings. There is ample foliage along the front boundary to No. 7 and, set to the rear of the host property and to the side of the swimming pool building, a dwelling occupying this site would be inconspicuous from the street. There is not a uniform pattern to the development in this area and so the proposal would not be a potential precursor to any repetition that might prove harmful to its character and appearance.

6. The Council's reason for refusal recognises that the appeal site is not prominent within the surrounding area. A plot at the rear would be at variance with the prevailing pattern of housing where, other than ancillary buildings like the swimming pool, there is currently no such backland development. However, in this particular instance, I consider there to be no material harm caused to character and appearance.
7. The relevant policies are those of the Joint Core Strategy¹ (JCS) and South Norfolk Local Plan² (LP). JCS Policy 2 promotes good design. Given later control over this via reserved matter approval, this outline scheme would satisfy this policy's requirements. For the same reason there would be no conflict with LP Policy DM 1.4, in terms of a scheme here making positive contribution to local character and distinctiveness, or DM3.8, over design principles applying to all development.
8. LP Policy DM3.5 supports the principle of an additional dwelling on a sub-divided plot within development boundaries. Criterion (a) of this would be capable of being met by reserved matters. These might ensure that any detailed scheme incorporated a good quality design which maintained or enhanced the character and appearance of the surroundings.

Other Matters

9. I have had regard to the further matters raised by interested parties at the application stage and at this appeal. The site lies adjacent to a designated river valley. However, this is not a location where the principle of a further dwelling would conflict with development plan policy, given that the site lies within the defined settlement boundaries and outside any area of high flood risk. With regard to access, I note the concerns raised. However, the local highway authority has raised no formal objections to the proposal on safety grounds.
10. An objection over the use of the field entrance proposed appears to be a civil matter between the parties involved, given that the appellant refers to a right of access in this respect. Avoidance of overlooking to the land to the rear, if considered necessary, might be addressed through reserved matter approval.

Conditions

11. Standard conditions are necessary to apply the requirements for reserved matter submission, the time limits for these and for the commencement of the development. In the interests of certainty, a further condition specifies the red line plan approved. In the interests of water use economy, a condition is necessary requiring the development addresses this satisfactorily.

¹ Joint Core Strategy for Broadland, Norwich and South Norfolk. Adopted March 2011, amendments adopted January 2014

² South Norfolk Local Plan Development Management Policies Document – Adopted Version October 2015

Conclusion

12. Subject to these conditions, and for the reasons given above, I conclude that the appeal should be allowed.

Jonathan Price

INSPECTOR

Annex: Conditions

- 1) Details of the 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 three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two 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 plan: drawing number LP02 Location Plan (insofar as it relates to the red line only).
- 5) The development hereby approved shall be designed and built to achieve a water consumption rate of no more than 105 litres/person/day. All required water conservation measures installed to achieve this rate shall be retained/upgraded to ensure the required water consumption rate is not exceeded for the lifetime of the development.
