



Appeal Decision

Site visit made on 14 January 2022

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 4th March 2022

Appeal Ref: APP/K2610/W/21/3273398
127 Reepham Road, Norwich NR6 5LY

- 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 Xhevahir Kolici against the decision of Broadland District Council.
 - The application Ref 20200984, dated 12 May 2020, was refused by notice dated 20 October 2020.
 - The proposed development is for change of use to bed and breakfast (use class C1), rear extensions and extensions to roof to facilitate rooms in roof.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the Council's decision notice. In Part E of the appeal form it is stated that the description of development is the same as this description and neither of the main parties has provided written confirmation that this description is erroneous. Accordingly, I have used the one given on the Council's decision notice and the Appellant's appeal form.
3. I note the submission of extra plans that did not form part of the original planning application. In light of this, consultees were unable to comment on these plans and therefore would be potentially prejudiced by not being able to comment on the revised plans. As such I have based this assessment and decision upon the plans that formed part of the original application.

Main Issues

4. The main issues are:
 - a) The effect of the proposals upon the character and appearance of the area;
 - b) The effect of the proposals upon the living conditions of the occupiers of neighbouring properties residents, particularly those living on Pinewood Close and Reepham Road, with particular regard to privacy, noise and disturbance; and
 - c) The effect of the proposals upon highway safety.

Reasons

Impact Upon the Character and Appearance of the Area.

5. The appeal property is a two storey semi detached house occupying a relatively prominent corner plot within this busy suburban area. There is a private drive, Pinewood Close, that runs alongside the property giving access to properties to the rear. The appeal property is bounded by a timber screen fence and low red brick wall with a generous opening through this wall giving access from Reepham Road into the frontage of the property that appears to be used for car parking. The property is currently used as a residential property and I saw on my site visit that letting rooms are advertised from a poster in the front window as being available for rent.
6. The appeal property itself is red brick with cream rendering and red brick quoins. To the rear there currently exists a two storey rendered flat roof extension that may have been part of a post construction two storey side extension.
7. I consider that the character and appearance of Reepham Road is largely suburban with properties on the appeal site side being of very similarly designed two storey hipped roof houses for a significant length of the road to either side of the appeal site. Opposite the site many properties appear to be chalet bungalows or single storey dwellings with rooms in the roofspace. Overall, I consider that the character and appearance of the area contains overriding synergies between houses through their respective architectural features of red brick, render and pantile pitched or hipped roofs.
8. The proposal intends to increase the capacity of accommodation in the property through extending into the roof space of the house. This would include the extension of a pitched roof gable end on top of the existing flat roof two storey element at the rear and a new hipped roof dormer to the side roof elevation facing Pinewood Close. A smaller single storey ground floor extension would infill the L shaped area between the two storey extension and the adjoining property. Parking provision would be contained to the front of the property
9. Although I consider that the revised plans submitted as part of the application offer something of an improvement to those submitted initially, and indeed upon the current flat roof rear extension, I consider that these plans would instead create a large three storey gable feature facing to the rear. Not only would this gable feature largely be at odds with the overriding character of semi detached hipped roof houses on this side of Reepham Road, but it would also present a highly dominant feature when seen from the rear.
10. Although I saw on my site visit that some single storey properties opposite have gables, I consider that the difference between these gables being lower, and located upon largely single storey properties with rooms in the roof is significant. The result of this feature would therefore appear somewhat top heavy when seen from the rear and result in an unsightly mix of roof types between hip and gable that I consider would represent a poor design response to the immediate context of the site.
11. The appellant has directed my attention to other examples of extensions in the local area and I saw on my site visit that there are a number of other properties nearby which have extended or been modified in a variety of ways

However, I have no information before me as to the reasons or background to these developments and so I cannot be certain that the circumstances are the same as the case before me. Nevertheless I consider that the other extensions nearby generally conform to the overriding character and appearance of the area and do not adversely effect this character in the same way that I consider the proposals before do.

12. Although I find no harm through the inclusion of the side dormer or the ground floor extension in this proposal, both of which I consider are either suitably contextual or modest in scale so as not to cause detriment to the character and appearance of the area, I consider that the harm caused through the introduction of such a large scale rear gable feature would lead me to conclude that this proposal would be contrary to Policy GC4 of the Development Management DPD 2015 and Policy 2 of the Joint Core Strategy 2011 both of which reflect Section 12 of the National Planning Policy Framework (NPPF) in their requirements for proposals to achieve high quality design and strong sense of place.

Impact Upon the Living Conditions of Neighbours

13. The appeal site is located within an area of residential properties within what I consider is a suburban location. The general topography of the area does slope along the axis of Reepham Road and as such the appeal property is sited slightly higher than number 125 Reepham Road that is located on the corner of Pinewood Close. Other than this there would appear to be little noticeable difference in terms of the height or siting between the appeal property and its other immediate neighbours.
14. In constructing the second floor gable windows the proposal would introduce higher level windows to the rear elevation. Although the second floor gable windows would be prominent, they would be far removed from the nearest other property along Pinewood Close and as such I consider the likelihood of any impact upon the privacy of neighbours would be minimal. Similarly I do not consider that the introduction of higher windows would allow any further loss of privacy to occur to the adjoining neighbour than already exist.
15. The proposed second floor windows to the rear elevation would therefore be acceptable and would not be harmful to the living conditions of neighbouring occupants, with regard to privacy.
16. The side elevation of the property faces onto the entrance of Pinewood Close and is a little higher than that of number 125 Reepham Road that sits behind a brick wall on the corner of Pinewood Close and Reepham Road. Although there is an existing side window here, the proposed side dormer would be one storey higher than this and it would have an outlook in this direction. Although I consider that the dormer window would be separated by the width of Pinewood Close and the drop in level of the garden of number 125 Reepham Road, I do consider that it would still be possible for residents using the dormer window to view directly into the private, side garden space of number 125 Reepham Road.
17. Although I consider that the separation distance of 23 metres would be sufficient to mitigate any impacts of direct overlooking between windows, I consider that the side garden of number 125 would be a principal area of amenity space and that, through this proposal, a loss of privacy would occur

that would be harmful to the living conditions of residents at number 125 Reepham Road.

18. In terms of the change of use I consider that, due primarily to the intensity of use and the likelihood of guests arriving at various times through both the night time and early morning, that there would be a tangible impact upon the living conditions of local residents through this proposed use. This is because these times of the day are typically quieter in residential areas and background levels of noise are correspondingly low. Therefore, neighbouring occupants would be more likely to be disturbed by the sound of doors slamming, car engines running whilst taxis wait outside the property, vehicles manoeuvring or through the comings and goings of guests. This would also be occurring at a time when the majority of occupants would be asleep and therefore more likely to be disturbed by noise. The proposed use would therefore cause disturbance to both neighbouring residents and those along Pinewood Close to the rear that does not exist at present.
19. Although the operating hours could potentially be controlled, the likelihood of guests arriving or leaving for events such as meeting flight times etc, as stated in the Appellant's statement, would lead me to the conclusion that such a controlling condition would be impractical and inconsistent with the operational needs of the property in its function as a Bed and Breakfast.
20. I recognise the Appellant's statement that the occupancy of the B&B would fluctuate depending on the season. However, I consider that the impact in these busy periods would be harmful to the living conditions of neighbours, with particular regard to noise and disturbance.
21. I notice the Appellant's fall back position where a potential change of use to rented House of Multiple Occupation (HMO) accommodation could occur. I consider however, that even with such a use, the likelihood of residents leaving at such unsociable hours on a regular basis would be significantly reduced when compared to the running of a B&B. Although inevitably more residents would have the potential for disturbance in other ways through late night comings and goings etc, this would not be as consistent or occur on such a regular basis as the proposed use before me.
22. Drawing matters together, I consider that there would be no harmful impact upon the living conditions of neighbours through the proposed second floor windows to the rear, with regard to privacy. However, I do consider that the proposed side dormer window and the change of use of the property to Bed and Breakfast accommodation would have a significantly harmful impact upon the living conditions of neighbours, with particular regard to noise and disturbance. As such I consider that the provisions of Policy GC4 of the Development Management DPD 2015 have not been met in this regard.

Impact Upon Highways

23. The proposal would see parking remaining to the front of this property and would continue the parking of several vehicles across the property frontage. Reepham Road itself is an arterial route into Norwich city centre designated as a Local Access Route with a 30mph speed limit. I saw on my site visit that Reepham Road was a very busy major route in the inner city area with buses and school children using the road. Outside the appeal site the existing brick

wall gives access onto a footway without a verge before entering the main road carriageway.

24. The revised plans as submitted as part of the application removed parking to the rear of the property in favour of a small extension in hard surfacing and a new single storey garage to be located at the side of the property. This would result in all parking being provided to the front of the property where it would be necessary to manoeuvre and turn a vehicle were it to be able to enter and exit the site in a forward gear. The proposed garage would be to the side of the property but would be somewhat hemmed in through the proposed bin stores.
25. I consider that the proposed garage would therefore be largely impractical to use for vehicles due to proximity of the existing house and the location of bin stores along this driveway. This would therefore remove an area of parking and manoeuvrability from the site and as such I find that adequate turning would not be available within the site that would allow vehicles to exit onto Reepham Road in a forward direction.
26. Due therefore to the amount of vehicles expected to use this site through the proposed use, the proposal would not allow adequate manoeuvrability for vehicles within the site curtilage which I consider would result in either greater on street parking, which would result in further disturbance for neighbours, or the inability of vehicles to exit the site in a forward gear, thereby compromising highway safety for other road users along Reepham Road.
27. I conclude that the proposal before me would therefore result in a detrimental impact upon highway safety and that the requirements of Policies TS3 and TS4 of the Development Management DPD 2015 would not be met.

Other Matters

28. Although I recognise the Appellant's statement that a previous planning application was approved for six vehicles to be parked to the front of the property¹, I once again have no information before me as to the precise nature of this proposal or the reasons why six vehicles were previously supported. As such I have been led in my assessment by the most up to date response from the County Highways Officer along with my own assessment whilst on site.

Conclusion

29. For the reasons above, taking into account all other matters raised, I conclude that the appeal should be dismissed.

A Graham

INSPECTOR

¹Application number 20051218