



Appeal Decision

Site visit made on 9 March 2022

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2022

Appeal Ref: APP/F2605/D/21/3286863

Northview, 2 Bells Meadow, Necton PE37 7PT

- 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 G Moorhead against the decision of Breckland Council.
 - The application Ref 3PL/2021/1137/HOU, dated 10 August 2021, was refused by notice dated 30 September 2021.
 - The development proposed is ground floor extension to rear and first floor extension over existing garage.
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Decision

1. The appeal is dismissed insofar as it relates to the first floor extension over the existing garage. The appeal is allowed and planning permission is granted for ground floor extension to rear at Northview, 2 Bells Meadow, Necton PE37 7PT in accordance with the terms of the application, Ref 3PL/2021/1137/HOU, dated 10 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, only insofar as relevant to the ground floor extension to rear: Existing Site Plan and Location Plan drawing no 21269-01 Rev.B; Proposed Site Plan drawing no 21269-03 Rev.D; Existing Plans and Elevations drawing no 21269-02 Rev.B; Proposed Elevations drawing no 20269 Rev.E; and Proposed Plans drawing no 21269-04 Rev.E.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the host property; and (ii) the living conditions of the occupiers of No 3 Bells Meadow with particular regard to outlook.

Reasons

3. The proposed first floor extension would be built upon the existing garage, thereby making efficient use of available space. However, it does not automatically follow that the proposal would respond appropriately to the existing layout of the building.

4. The proposed first floor extension would not be wider than the existing footprint of the garage. However, the garage has a hipped roof which draws the built form away from the shared boundary and minimises its overall mass. The existing study, which forms the link between the garage and the main bulk of the dwelling, has a pitched roof which sits below the main eaves of the dwelling and below the ridge line of the garage. This link element is also stepped slightly in from the main side elevation of the dwelling, whereas the side elevation of the garage extends beyond it. The existing frontage projection is a clearly subordinate element to the main house.
5. As the proposal would extend above the garage and study and would project beyond the width of the study at first floor level, aligning with the side of the garage, it would significantly increase the expanse of built form at the front of the dwelling. The introduction of a gable roof, although stepped down from the main ridgeline, would further exacerbate the overall volume of the proposal. It would overly dominate the original building, as clearly illustrated by the submitted 3D drawings, and would result in an incongruous and ill proportioned addition that would have a significantly harmful effect on the character and appearance of the host dwelling.
6. The use of matching materials would assist in integrating the proposal with the host property. However, this detail would not overcome the adverse effects identified.
7. Though positioned within a private cul de sac, away from general public view, the proposal would, nevertheless, be a prominent feature that would be plainly visible from the neighbouring property, 3 Bells Meadow (No 3). It would, by virtue of its scale and height, in combination with its proximity to the shared boundary, appear as an imposing and overbearing feature when viewed from the ground floor flank windows, side passage area and garden of No 3. The proposal would have an unacceptable overbearing impact such that it would cause unacceptable harm to the living conditions of the occupiers of No 3.
8. Consequently, I conclude that the proposed first floor front extension would unacceptably harm the character and appearance of the host property and the living conditions of the occupiers of 3 Bells Meadow, with regard to outlook. Thus, the proposal is contrary to Policies COM01, COM03 and GEN02 of the Breckland Local Plan 2019 and the aims of the National Planning Policy Framework which, together and amongst other matters, seek high quality design and the protection of residential amenity.

Other Matters

9. The proposal also includes a single storey, flat roof, rear extension. This would be modest in size and scale and would be set away from neighbouring properties. I therefore find no harm in respect of this element of the proposal, and I note the Council has raised no objection in this regard either. As the rear extension and first floor front extension are physically and functionally severable, I consider a split decision would be a logical outcome.
10. The Council has, during the course of the appeal, advised that concerns have been raised by Natural England regarding nutrient pollution in the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site. Any new development within the

catchment of these habitats comprising overnight accommodation has the potential to cause adverse impacts with regard to nutrient pollution.

11. The Conservation of Species and Habitats Regulations 2017 require decision makers to ensure that new development does not cause adverse impacts to the integrity of protected habitats, prior to granting planning permission. At present there are no identified mitigation solutions available locally to resolve these impacts and it cannot lawfully be concluded that development within the catchment of the aforementioned protected sites will not have an adverse effect.
12. Had I found the proposal otherwise acceptable in respect of the first floor extension over existing garage, I would have needed to consider if it is a type of development which has the potential to cause adverse impacts with regard to nutrient pollution and, if so, a Habitats Regulation Assessment would have been required. However, as I am dismissing this element of the proposal on other substantive grounds and the element that I am allowing does not involve the addition of overnight accommodation, it is not necessary to explore this matter further. Consequently, I have not sought comments from the appellant on this matter.

Conditions

13. In addition to the standard time limit condition, I have imposed a condition requiring that the single storey rear extension is carried out in accordance with the approved plans, in the interest of certainty. In order to protect the character and appearance of the host property, I have imposed a condition requiring the external materials to match those used in the existing building.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed insofar as it relates to the first floor extension over existing garage and allowed insofar as it relates to the ground floor rear extension.

S Tudhope

INSPECTOR