



Appeal Decision

Site visit made on 22 July 2022

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

Appeal Ref: APP/Y2620/W/21/3285078

Middle Field, 2 Woodlands Close, Holt, Norfolk NR25 6DU

- 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 & Mrs I & L Furniss against the decision of North Norfolk District Council.
 - The application Ref PF/21/0857, dated 22 March 2021, was refused by notice dated 11 June 2021.
 - The development proposed is single storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effects of the proposal on the character and appearance of the area;
 - Whether the proposal would provide acceptable living conditions for future occupiers, and preserve those at 32 Cromer Road, with particular regard to light and outlook;
 - Whether there would be pressure to fell or significantly prune the protected oak tree at the site.

Reasons

Character and appearance

3. The proposal would occupy a section of land adjacent to and part of the host property at Middle Field. A single storey dwelling is proposed which would replace an existing double carport, shed, greenhouse and two planters. A mature oak tree stands at the front of the appeal site. The new dwelling would lie between Middle Field, a large house, and the bungalow at 32 Cromer Road.
4. Woodlands Close is a cul-de-sac, located within a residential part of the town of Holt, that mainly comprises fairly large, detached houses set in quite spacious plots. The scheme has evidently evolved through prior engagement with the Council and is of an intrinsically satisfactory design, which responds to the relatively narrow plot. The dwelling would replace a quite substantial car port and remain subservient in scale to the adjacent house, providing a stepping down of height to reflect that of the bungalow at No 32.

5. Located behind the mature oak tree, the dwelling would not appear unduly conspicuous in the street scene. Nevertheless, the dwelling proposed would be built close to the side boundaries and have a comparatively small back garden. It would thus comprise an incongruously cramped form of development, contrasting markedly with the otherwise quite spacious character of the built surroundings. As a consequence, the proposal would fail to preserve the character and quality of the area and, in terms of design, would conflict with Policy EN 4 of the North Norfolk Core Strategy 2008 (CS).

Living conditions

6. The dwelling would provide generally acceptable living conditions for future occupiers, in terms of internal and external space. The oak tree would have some shadowing effect during the summer months, but occupiers would still experience adequate natural light internally and in the back garden. There would be benefits from the cooling effects of shade providing foliage during hot spells in the summer.
7. However, the proposal would have a material impact upon the living conditions at No 32. As part of an enclave of detached homes set in spacious plots, this neighbour presently enjoys a relatively high degree of seclusion and openness of outlook. The bungalow's southerly aspect and private rear garden, to the side away from the main road, are a significant part of the overall quality of living conditions offered at this bungalow. These would thus be sensitive to the changes brought about by this scheme.
8. The proposal would increase the height and extent of the building running across this southerly aspect. Being built close up to the boundary, this larger extent of development would impinge negatively upon both openness of aspect and a feeling of seclusion. The restricted size of back garden that would be available in the proposal would condense external household activity into a small area, further heightening the feeling of a loss of seclusion and privacy at No 32.
9. The appellant refers to the dwelling being single storey only and set lower than the adjacent existing house to the north of the site, meaning that the overshadowing and overall impact on neighbouring properties has been greatly reduced from earlier designs. The evidence does not substantiate any significant reduction of sunlight and daylight levels received in the neighbouring back garden. Nevertheless, the extent of development so near to the boundary, would create a hemmed in feeling at No 32 and a significant loss to the quality of its living conditions.
10. In all, the rather cramped and contrived nature of the proposed dwelling would be further out of character by impinging harmfully on the living conditions presently available at No 32. This would bring the scheme into further conflict with CS Policy EN 4, which requires proposals not to have a significantly detrimental effect on the residential amenity of nearby occupiers.

Pressure on protected oak tree

11. The debris, leaves and bird droppings emanating from the oak tree would be an inconvenience for occupiers of the proposed dwelling, rather than this being a decisive factor over the acceptability of the scheme. The arboricultural evidence shows the development could be constructed without harming this tree. It is

subject to a Tree Preservation Order and safety fears leading to pressure for felling or significantly pruning, whilst not entirely without foundation, are also not decisive in this decision. Consequently, with regard to the impacts on the protected oak tree, I find no further harm through a conflict with CS Policy EN 2.

Planning balance and conclusion

12. The proposal provides social benefits towards meeting a general need to boost the supply of housing and its construction and occupation would benefit the local economy. I also give weight to the dwelling providing independent accommodation for a dependant relative, next to where care is available. However, these small benefits would be outweighed by the harmful effects on the character and appearance of the area and the living conditions at 32 Cromer Road. Therefore, the appeal does not succeed.

Jonathan Price

INSPECTOR