



Appeal Decision

Site visit made on 31 August 2022

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2022

Appeal Ref: APP/F2605/W/22/3295975

Rear of 41 Hargham Road, Old Buckenham, Norfolk NR17 1SN

- 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 Mike Barnard against the decision of Breckland Council.
 - The application Ref 3PL/2021/0830/O, dated 11 May 2021, was refused by notice dated 29 September 2021.
 - The development proposed is form new residential dwelling detached of single storey construction and two bay cart lodge for the use of family members. Self build project.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form indicates the application was made in outline with all matters reserved and the Council's report indicates they considered the application on that basis. I have therefore considered the appeal the same terms, and the submitted plans as indicative in so far as they relate to the reserved matters.

Main Issues

3. The main issues are the effect on the character and appearance of the surrounding area and the suitability of the proposed access.

Reasons

Character and appearance

4. Hargham Road in the vicinity of the site has a linear appearance, characterised by detached dwellings set in large plots. It provides an attractive transition from the surrounding countryside to the developed area of the village.
5. The appeal proposal is for a dwelling that would be sited in the rear garden of the host property. This would not be consistent with the surrounding predominant linear pattern of development of dwellings fronting the highway in spacious plots. It would also introduce an urbanising feature into the otherwise open rear gardens which would be detrimental to the open character of the surrounding area. The development would therefore not represent good urban design by introducing an incongruous feature which would not be sympathetic to local character or maintain the sense of place derived from the surrounding layout. In coming to this view, I have taken into account that all matters are reserved for future consideration and that the position of the proposed dwelling shown on the submitted plans is therefore only indicative at this stage.

6. The appellant has highlighted that the proposed dwelling could be designed to be subservient to the host property, that screening would be provided by the surrounding boundary features and that careful use of materials would integrate the development into the surrounding area. However, as the existing dwelling is a bungalow, albeit with a steeply pitched roof and dormer windows, the extent of any subservience would be limited. It is also not clear from the submitted plans that the boundary treatments are in the control of the appellant, therefore it is not clear to me that such screening could be secured. In any event, these matters would not outweigh the fundamental harm to the character and appearance of the area I have identified.
7. I acknowledge there are some properties sited behind Hargham Road closer to the centre of the village which are located on individually smaller plots. However these are multiple dwellings accessed from a single road. On my site visit, I also observed the recently constructed development further to the west of the site continues the linear form that is predominant around the site. These examples are therefore not particularly comparable to the appeal proposal and their presence does therefore not alter my assessment of the character and appearance of the area as it relates to the appeal site. While other developments within the area have been brought to my attention, these are not in proximity to the site and the circumstances of those are likely to be different to those before me in this case.
8. In relation to this main issue, I therefore conclude that the proposed development would harm the character and appearance of the surrounding area. It would therefore conflict with Breckland Local Plan November 2019 (BLP) Policies COM 01 and GEN 02 which amongst other things require development to be of a high quality which contributes to the distinctive character of the local area. It would also conflict with paragraph 130 of the National Planning Policy Framework (the Framework) which requires development to add to the overall quality of the area and be sympathetic to local character.

Access

9. The second reason for refusal relates to a lack of information with regard to highway safety and the ability of the site access to provide appropriate visibility. The Local Highway Authority (LHA) has provided further comments to the appeal. These confirm that there has been a material change in circumstance since the application was determined in that a footpath has now been constructed to the front of the appeal site. I observed this at my site visit. In light of this, the LHA are satisfied that appropriate visibility can be achieved. I have no reason to dispute this conclusion.
10. Concern has been raised by interested parties regarding the proximity of the access to the junction with Fen Street and the ability of construction traffic to access the site. This was not raised as a concern by either the Council or the LHA. From what I observed on my site visit and the limited scale of the development proposed, I do not have any reason to disagree with the Council on this point.
11. In relation to this main issue, I conclude that sufficient information has been submitted to demonstrate that suitable access to the development could be provided. This would be in accordance with BLP Policy TR 02 and paragraph 110 of the Framework which require safe, suitable and convenient access to be

provided and BLP Policy COM 01 and paragraph 111 of the Framework which require development to not compromise, or have an unacceptable impact on, highway safety.

Other Matters

12. There are multiple references throughout the appeal documentation relating to the use of the appeal proposal by family members of the occupiers of the host property or its use as an annexe to that property, with the intention that other family members would occupy the host dwelling to provide support as the current owners age. However, the proposal before me is for a separate dwelling and it has been assessed on that basis. Notwithstanding this, I have had regard to the personal circumstances of the appellant. However, I am mindful of the advice contained in the Planning Practice Guidance (PPG)¹ that in general planning is concerned with land use in the public interest. It is probable that the appeal proposal would remain long after the appellant's personal circumstances cease to be material. Future use of the proposed dwelling would also not necessarily entail a similar situation.
13. I have found that suitable access arrangements could be provided and no adverse effects on the living conditions of surrounding occupiers have been put forward. However, these factors amount to an absence of harm and are therefore neutral in the determination of this appeal.
14. There would be a social and economic benefit from the provision of an additional dwelling on what is a relatively large garden which is said to be under-used given its size. The PPG also identifies additional benefits from self-build house building in diversifying the housing market and increasing consumer choice. In addition, there would be ready access by sustainable modes of transport to services and facilities within the village, and I recognise that third parties have written in support of the development. These factors weigh in support of the appeal, but this is limited due to the small scale of the proposal.
15. However, I have identified that the proposed development would harm the character and appearance of the surrounding area and I attach significant weight to this because the appeal proposal would be an entirely uncharacteristic feature in the locality. Accordingly, neither the above matters nor the limited benefits of the appeal proposal outweigh the harm I have identified above.

Conclusion

16. For the reasons given above, the appeal proposal would conflict with the development plan as a whole. There are no material considerations of sufficient weight to indicate that a decision should be taken otherwise. Therefore, the appeal is dismissed.

J Downs

INSPECTOR

¹ Paragraph: 008 Reference ID: 21b-008-20140306 – 'What is a material planning consideration?'. Revision date 06/03/2014.