



Appeal Decision

Site visit made on 23 February 2023

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th April 2023

Appeal Ref: APP/G2625/W/22/3303997

547 Earlham Road, Norwich NR4 7HW

- 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 Orlando Williams against the decision of Norwich City Council.
 - The application Ref 21/01799/F, dated 30 November 2021, was refused by notice dated 28 January 2022.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposed development on (a) the character and appearance of the area; and (b) the living conditions of neighbouring occupiers, with particular regard to noise and disturbance.

Reasons

3. The appeal site comprises a detached two-storey property positioned to the north side of Earlham Road. The property is an established bed and breakfast with an open gravel driveway/carpark to the front. The prevailing character of the area is well-sized detached residential dwellings, a limited number of which, including the appeal property, have been extended with the introduction of side and rear extensions.
4. Along this part of Earlham Road, well-sized gaps typically exist between each property along the road, providing a sense of separation between properties. Through these gaps can typically be seen open sky or mature trees in gardens. A small number of existing flat roof two-storey side extensions are also visible within these gaps, albeit these are generally of a subservient design matching the eaves of the main property and not of particularly great width. This layout with gaps breaks up the street's otherwise urban nature and positively contributes to the character and appearance of the area.
5. The appeal property itself is rendered on all elevations with a red tiled pitched roof. To the rear, projecting past the original rear elevation, a two-storey pitched roof extension currently forms an L-shape with the original host dwelling. As a result, there are a number of pitched roof sections with a central valley giving the roof a somewhat complex appearance of varying sloped sections.

6. The proposal intends to increase the capacity of accommodation in the property by infilling the space between the projecting rear extension, effectively squaring off the space to the rear of the original rear elevation, albeit this would be set in a short distance at the rear. It would also project outward, past the existing flank wall facing to number 547 Earlham Road (No 547). Parking provision would remain contained to the front of the property.
7. Although I consider that the flat roof would be subservient to the main roof and the materials would match that of the host dwelling, I find the proposal would create a large box feature projecting outward of the existing flank wall. The introduction of this box feature would be at odds with the overriding character of detached hipped roof houses found on this section of Earlham Road. I acknowledge that views from Earlham Road would only be glimpsed views but nonetheless, it would still draw the eye of pedestrians given its incongruous projection past the flank wall of the host building.
8. Furthermore, it would also present a highly dominant feature when seen from the rear of surrounding gardens on Earlham Road. It would also be clearly visible from some private views including from the rear windows of houses and gardens on Gipsy Lane, in which it would appear incongruous and intrusive to the character and appearance of the host dwelling and the row of detached properties.
9. The appellant has directed my attention to other examples of extensions in the local area. On my site visit, I observed how flat roof single-storey extensions are largely hidden from view, given their low height and existing boundary treatments between properties. I also observed two flat-roofed two-storey side extensions, including one at No 547. However, these are to the side and do not project past the original rear elevation of host dwellings. I also consider that the difference between these examples and the proposal is that they do not result in a discordant flank wall projection and an unsightly mix of pitched and flat roof types, which I consider would represent a poor design response to the immediate context of the site.
10. Both the main parties have drawn my attention to a now expired consent¹ (previous application). I note that this previous application was for the demolition of the appeal property and the adjacent dwelling at No 545 Earlham Road, which included new flats and B&B accommodation split over two buildings, including parking to the rear. The previous application scheme is, therefore materially different to the extension proposed and is not directly comparable to the scheme before me. I have therefore given it limited weight in my Decision.
11. I conclude that the proposed development would significantly harm the character and appearance of the area. It would fail to accord with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) and Policy DM3 of the Norwich development management policies local plan (NLP). These, in part, require new development, to be of the highest possible standards, and respect, enhance and respond to the character and local distinctiveness of the area. It would also be contrary to the National Planning Policy Framework (the Framework) where it states developments should be sympathetic to local character.

¹ Ref: 15/00197/F

Living Conditions

12. Policy DM2 of the NLP aims to protect the amenity of existing occupiers from, amongst other things, noise and vibration. The area, whilst on a busy road, is predominately residential in character.
13. The appeal scheme would provide an additional two rooms. It is unlikely that these two rooms would generate a significant number of vehicular movements over and above the existing situation. The noise and vibration levels likely to emanate from these movements would largely be commensurate with what one might expect from the existing premises given its lawful use as a bed and breakfast of its size. I see no reason why subject to the imposition of a management condition on check-in and out times that noise and disturbance from the additional guests would have a detrimental effect on occupiers of nearby dwellings.
14. I consider a condition could be devised to control the hours of use of the outdoor area, which given the limited increase of 2 rooms, would be effective in limiting any additional noise and disturbance resulting from the proposal even accounting for the introduction of direct access from the dining area to the garden.
15. Furthermore, the established bed and breakfast already operates in close proximity to the neighbouring dwellings. I have not been provided with any evidence of complaints which demonstrate there is an ongoing issue with noise or nuisance from the premises or that there has been a breach of the existing management condition referred to by the Council. As such, it is unlikely that the proposed alterations and increase in future occupiers would result in a marked increase in noise levels than is currently experienced to the detriment of nearby occupiers.
16. Consequently, I consider that the appeal proposal would not cause harm to the living conditions of the occupants of neighbouring dwellings through noise or other disturbance. The proposal would therefore comply with Policy DM2 of the NLP. The proposed development would also comply with the Framework, which seeks a high standard of amenity for existing users.

Other Matters

17. The Council has referred to the impact upon the Norfolk Broads SAC and Ramsar site and River Wensum SAC. However, as I am dismissing the appeal, there is no need for me to consider the implications upon them because the scheme is unacceptable for other reasons.
18. I note the comments from the appellant that the proposal would provide further income to help with rising running costs and the ongoing cost of living crisis. However, these temporary personal circumstances would not outweigh the permanent harm I have identified above.

Conclusion

19. The proposal would not have an unacceptable impact on the living conditions of nearby occupiers through noise or other disturbance. Notwithstanding this and for the above reasons the development would be harmful to the character and appearance of the area. As a result, the proposal conflicts with the development plan when taken as a whole and there are no material

considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

20. Therefore, I conclude the appeal should be dismissed.

A Hickey

INSPECTOR