



# Appeal Decision

Site visit made on 17 August 2023

**by K Savage BA(Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 September 2023**

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**Appeal Ref: APP/F2605/D/23/3319342**

**Rose Cottage, Anchor Corner, Little Ellingham, Norfolk NR17 1JX**

- 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 Sam Phillips against the decision of Breckland Council.
  - The application Ref 3PL/2022/1264/HOU, dated 10 November 2022, was refused by notice dated 3 January 2023.
  - The development proposed is a two storey rear extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension at Rose Cottage, Anchor Corner, Little Ellingham, Norfolk NR17 1JX in accordance with the terms of the application, Ref 3PL/2022/1264/HOU, dated 10 November 2022, 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: SLP04102022 V1.0 (Existing and Proposed Plans and Elevations); SLP04102022 V1.0 (Site Location Plan).
  - 3) No development shall commence above slab level until details and/or samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and/or samples.

## Main Issues

2. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) the living conditions of neighbouring occupants, in particular with respect to outlook and enclosure.

## Reasons

### *Character and Appearance*

3. The appeal dwelling is described as a traditional Norfolk cottage, part of a semi-detached pair with the adjoining Anchor Cottage. The pair share a long pitched roof with red tiles over two storeys of modest proportions finished in painted render. Both dwellings have been extended, with Rose Cottage having a small porch to the front and single storey lean-tos which wrap around the side and rear. These extensions feature roofs at different heights and angles and timber cladding to parts of the façades. The overall effect is of a modest dwelling that has extended organically over time.

4. The proposal seeks to replace all of the rear extensions with a single, two storey outrigger. The plans show the extension would stand on roughly the same footprint as the existing extensions but would extend some 880mm further rearward to 4.5 metres in depth. The appellant indicates that the building's footprint would increase by 7.5% as a result of the proposal.
5. The proposed extension would add new massing mainly to the first floor level at the rear. The depth of the extension would enable it to be visible from the road to the east of the site, albeit only for a short distance where the outer reaches of it would be glimpsed behind the main dwelling. Whilst noting the Council's concern that the extension would not be set down in height from the main ridge, and thus not 'subordinate,' the whole of the extension would not be seen from the road. Rather, even at the height proposed, it would form a relatively unassuming addition at the rear that would not significantly alter the overall scale of the dwelling, particularly as it would be seen in context with the broad front elevation that extends to Anchor Cottage. In this position, it would not demonstrably alter the 'cottage' scale and character of the dwelling or the semi-detached pair, which would still be exemplified by the form and detailing of the front elevation.
6. I saw that within the immediate surroundings, there is a variety of dwelling sizes and designs, with the built form scattered along the rural lane and many dwellings partly obscured by garden trees and hedgerows. Within this context, the proposed extension would not be anomalous either in scale or form, and it would have limited effect on the streetscene given it would only be subject to glimpsed views from a brief stretch of the road. The extension would be seen from the rear garden of Anchor Cottage but there would remain sufficient space within the plot, which is heavily enclosed by dominant mature trees, that the extension would not appear excessive in scale for the plot or adversely affect the prevailing rural character of the surroundings.
7. I am conscious that the neat look of a new extension may contrast with the idiosyncrasies of the longstanding cottage, in particular the visible sagging to the main roof. However, whilst the dwelling has charm, it is not identified as a designated or non-designated heritage asset and given the alterations would be limited to the rear of the dwelling, I am satisfied that any contrast between old and new would not be so prominent as to demonstrably harm the overall quality of the dwelling or its immediate surroundings. This could be secured through a planning condition specifying the proposed materials.
8. For these reasons, I conclude that the proposal would preserve the character and appearance of the area. No conflict would therefore arise with Policies COM01, GEN02, and HOU11 of the Breckland Local Plan (Adopted 2019) (the BLP) which together require development to be designed to the highest possible standards; to respect and contribute to the distinctive character and amenity of the local area; that extensions are in keeping with the existing dwelling and building materials, not disproportionate in size in relation to the original dwelling/plot and do not substantially alter its character.

#### *Living Conditions*

9. The Council's concern relates to the effect on outlook for occupants of Anchor Cottage. I saw on site that there is a glass door to the rear ground floor close to the shared boundary, with a rear facing window further along the ground floor elevation, and also a window facing the appeal site in the side elevation of

a rear extension. The rear door is already subject to a degree of enclosure from the vegetation growing on the shared boundary, as well as the massing of the existing rear extension. The proposed extension would stand slightly closer than the existing rear lean-to, being offset from the boundary by some 1.62 metres compared to 1.82 metres at present. However, this separation from the boundary would still serve to reduce the immediacy of the structure when viewed from the neighbouring dwelling.

10. The additional height and massing of the extension would nevertheless be visible from the neighbouring ground floor windows and would have an enclosing effect at close range. The appellant refers to the size of extension that could be built under permitted development (PD) rights. Two storey extensions are possible under PD, though not to the same eaves height or overall depth as proposed here. As such, as a fall-back option a two storey extension under PD would not present an equivalent impact in terms of high level massing to that proposed.
11. Despite its larger dimensions, the extension would not be excessive in size relative to the site as a whole. There would remain a significant depth of garden beyond the extension which would maintain a sense of space across the rear of both dwellings. The positioning of the additional massing to the side of the rear elevation of Anchor Cottage means it would form a peripheral feature that would have limited impact on the overall vista over the rear gardens and tree line possible from the rear windows and garden of Anchor Cottage. Therefore, the outlook enjoyed by neighbouring occupants would not be significantly diminished.
12. Moreover, the height and density of the tree line to the rear of the dwellings is already a factor in terms of the level of sunlight received in the morning by the ground floor windows of Anchor Cottage. Having observed the relative positions of the trees, windows and proposed extension, I am satisfied that the additional massing would be unlikely to cause extensive loss of sunlight or daylight, nor lead to a harmful sense of enclosure or overshadowing, given the degree of outlook that would be retained over the neighbours' own garden.
13. Therefore, I conclude that the proposal would not cause unacceptable harm to neighbours' living conditions, and no conflict therefore arises with Policy COM03 of the BLP which states that development will not be permitted where it causes unacceptable effects on the residential amenity of neighbouring occupants, having regard to factors including overbearing impact/visual dominance, overshadowing of private amenity space loss of daylight and/or sunlight.

## **Conclusion**

14. Having found on the main issues that the proposal accords with the development plan, I conclude that the appeal should be allowed, subject to a condition requiring development to be carried out in accordance with the approved plans, to provide certainty. A condition requiring details of proposed materials to be submitted to and agreed by the Council is also necessary to ensure a satisfactory appearance.

*K Savage*

INSPECTOR