
Appeal Decision

Site visit made on 5 February 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/F2605/D/23/3329898

6 Nelson Court, Watton, Norfolk IP25 6EL

- 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 Ms Jocelyn Stares & Mr Mike Nash against the decision of Breckland Council.
 - The application Ref 3PL/2023/0701/HOU, dated 10 July 2023, was refused by notice dated 16 August 2023.
 - The development proposed is garage/workshop with flat roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Government published a revised version of the National Planning Policy Framework (the Framework) in December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issue in this case are largely unchanged. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the parties, and that no party would be disadvantaged by such a course of action.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a two storey semi-detached dwelling and associated garden area, located on a corner plot in an established residential area. A tree is located within the front garden area which is subject to the Norfolk (Breckland District) (Watton) Tree Preservation Order 2008 No.59 (TPO).
5. Notwithstanding some variation in the distance, dwellings along Nelson Court are set back from the highway behind front gardens and driveways. Whilst the design of dwellings does vary along Nelson Court, the established layout provides for a consistent and open character which contributes positively to the character and appearance of the area.
6. The proposed garage would be a solid structure located in the front garden area of 6 Nelson Court. Outbuildings are not a common feature within the open and undeveloped front garden areas along Nelson Court. The proposed development would therefore create a dominant and incongruous addition to

the street scene which would be contrary to the characteristic pattern of development.

7. I acknowledge that a flat roof design has been proposed to limit the height of the garage to reduce its visual impact. Views of the garage would be partially obscured by the presence of the TPO when approaching from the south and an existing close boarded fence and trees located in the grassed area adjacent when approaching from the northwest. Nevertheless, given its prominent position and its height, it would be clearly visible across the driveway of the appeal site, from the junction to the northeast and from the northwest, either entirely or at least in part.
8. The proposal would therefore be harmful to the character and appearance of the area. It would be contrary to Policies COM01 and GEN02 of the Breckland Local Plan November 2019. These policies seek, amongst other things, that new developments are of high quality design, that they respond appropriately to the existing pattern of development and respect the character of the surrounding area. Paragraph 139 of the Framework states that development that is not well designed should be refused.

Other Matters

9. I note that the proposal subject to this appeal is an amended scheme which sought to resolve issues that the Council raised through a previous application. Be that as it may, I must deal with the appeal on its individual merits.
10. The appellant asserts that the planning system should not restrict property owners from enjoying their properties, that there are limited locations within the appeal site where a garage could be located due to the plot layout and that the location where it is proposed is not useful amenity space. However, the area where the garage is proposed does perform a function as private garden space and whilst I appreciate that the garage would be a private benefit to the appellants, this would not outweigh the harm to the character and appearance of the area.
11. The appeal site is outside of but adjoins the corner of the Watton Conservation Area (CA) boundary. The significance of the CA lies in the arrangement of traditional buildings that sit within the historic core of the settlement. Given the proposed scale and siting of the garage, it would appear visually separated from views within and towards the CA. It would therefore preserve the character and appearance of the CA. Nevertheless, this does not outweigh the harm I have identified above.

Conclusion

12. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

G Dring
INSPECTOR