



Appeal Decision

Site visit made on 20 December 2023 by Max Webb BA(Hons) MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2024

Appeal Ref: APP/U2615/D/23/3328662

4 Campion Avenue, Gorleston, Great Yarmouth, Norfolk NR31 7NB

- 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 Daniel Downing against the decision of Great Yarmouth Borough Council.
 - The application Ref 06/23/0295/HH, dated 10 April 2023, was refused by notice dated 8 August 2023.
 - The development proposed is the erection of a two-storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published a revised version of the National Planning Policy Framework (Framework) on 19 December 2023. Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on the character and appearance of the host dwelling and surrounding area and the living conditions of the occupiers of 2 Campion Avenue, with particular regard to outlook and sunlight.

Reasons for the Recommendation

5. The appeal site forms part of a semi-detached pair located on the end of a street containing dwellings of relatively consistent style and scale. The positioning of the semi-detached pair means the rear of the appeal site is highly visible from Brasenose Avenue.

Character and Appearance

6. The proposal would add a large, two-storey projection to the rear of the property. This would project a significant distance and across much of the rear elevation, with the resulting substantial mass being excessive and out of proportion in relation to the modest main property. Consequently, the proposal would be harmful to the appearance of the host dwelling.
7. The visual style of properties in the wider area is varied, and other properties with rear projections and similar gable end details to the appeal proposal exist in the wider area. This does not, however, justify this overly large proposal in a highly visible location, which results in a property out of scale with other properties in the immediate vicinity. This would be detrimental to the character of the surrounding area.
8. In particular, a nearby two-storey rear projection has been referenced on Newnham Green. From the limited evidence available to me, this would appear to be a slightly narrower at first floor level than the appeal proposal. I have not been provided with the full details for this nearby development, such as when it was built, whether it was considered under the same policy context, what existed previously, or the reasons why it was considered acceptable. Therefore, it has not been demonstrated that this is comparable to the appeal scheme and does not justify the harm I have identified.
9. A new build detached dwelling at 7 Girton Road is also referenced, which is of different design to other properties around it. It does however appear to be of similar depth to its immediate neighbour and, again, I have no details of how it came to be built. In any event, its context is different to that of the appeal scheme, and therefore it is not directly comparable in design or relationship with neighbouring properties. Therefore, it does not justify the harm identified above.
10. Overall, the proposal would harm the character and appearance of the host dwelling and surrounding area. It would therefore not benefit from the support of Policy H9 of the Great Yarmouth Local Plan Part 2 (adopted December 2021), which explains that extensions will be permitted where they maintain or enhance the character and appearance of the building, street scene and immediate surroundings. It would likewise not accord with Policy CS9 of the Great Yarmouth Local Plan: Core Strategy 2013-2030 (adopted December 2015), which states that the Council will ensure new development responds to the surrounding area's characteristics, such as scale, form and massing.

Living Conditions

11. The width of the proposed projection would leave a modest gap between it and the boundary with No 2. Nevertheless, due to its depth and overall massing, the proposal would appear as a dominant and overbearing feature from the closest upstairs window and the conservatory. The resulting loss of outlook would harm to the living conditions of the occupiers of No 2.
12. Due to its orientation, the proposed projection would result in some loss of sunlight to the conservatory and upstairs window closest to the boundary for a few hours in the morning. There would however be no impact on sunlight for the rest of the day, so this would not lead to excessive or unacceptable effect

on the amenities of the occupiers of No 2. However, this would not negate the harm arising from the loss of outlook.

13. Therefore, the proposal would result in a loss of outlook that would harm the living conditions of the occupiers of No 2. It would therefore not conform with Policies A1 and H9 of the Great Yarmouth Local Plan Part 2 (adopted December 2021), which together require development to not adversely affect the amenities of neighbouring occupiers, including from buildings and structures that will be overbearing. It would also not accord with Policy CS9 of the Great Yarmouth Local Plan: Core Strategy 2013-2030 (adopted December 2015), which seeks to protect the amenity of residents near proposed development.

Other Matters

14. The extension would improve space in the property, however this would be a private benefit to the occupiers. Furthermore, it has not been demonstrated that improvements could not be achieved with an alternative design that did not result in harm. I therefore accord this benefit limited weight that does not outweigh the harm identified.
15. While the appellant suggests that neighbours support the proposal, no representations have been received. The lack of objections from neighbours does not alter my judgement on the main issues.
16. The lack of communication or site visit and delayed decision from the Council is unfortunate. Nevertheless, it does not alter the planning merits of the case set out above, which I have assessed with the benefit of a site visit.

Conclusion and Recommendation

17. The proposal would conflict with the Local Plan and there are no material considerations that justify granting planning permission in conflict with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and I agree with the reasoning set out above. On that basis the appeal is dismissed.

L McKay

INSPECTOR