
Appeal Decision

Site visit made on 5 September 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2024

Appeal Ref: APP/F2605/D/24/3340973

30 Mill Lane, Besthorpe, Norfolk NR17 2NL

- 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 David Gibbons against the decision of Breckland District Council.
 - The application Ref 3PL/2023/1072/HOU, dated 9 November 2023, was refused by notice dated 27 December 2023.
 - The development proposed is internal alteration and proposed outbuilding garage.
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Decision

1. The appeal is allowed. Planning permission is granted for internal alteration to include conversion of existing garage to bedroom, proposed new detached garage and electronic timber gate at 30 Mill Lane, Besthorpe, Norfolk NR17 2NL in accordance with the terms of the application Ref 3PL/2023/1072/HOU dated 9 November 2023 subject to the following conditions:
 - 1) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: EX03 P1, EX04 P1, EX05 P1, EX06 P1, EX07 P1, EX10 P1, EX11 P1, PR12 P1, PR13 P1, PR14 P1, PR15 P1, PR16 P1, PR17 P1, PR18 P1, PR19 P1, PR20 P1 and PR21 P1.

Procedural Matters

2. The description of the proposal in the formal decision above differs from that on the application form. It is used on both the Council decision notice and has been adopted on the appeal form offering a fuller and more accurate description of the scheme. The scheme also includes an electronic timber gate which is shown on drawing PR13 P1 and in elevation on drawing PR17 P1. I have considered the appeal on that basis.
3. At the time of my visit, works to convert the existing attached garage appeared to be underway at the appeal property. What had occurred appeared to largely align with the plans before me. For the avoidance of doubt my consideration is based on the plans.

Main Issue

4. The main issue is the effect of the detached garage on the character and appearance of the area.

Reasons

5. Mill Lane hosts a wide range of property types in terms of age, design, and materials. They are set back at varying distances from the lane. Garages forward of the front elevations of properties are not common features within the area although there are some limited examples in evidence on Mill Lane and elsewhere within Besthorpe.
6. However, the garage proposed would be of limited size, bulk and height. It would be set away and behind a well-established boundary hedge and as such would have very limited visibility within the street-scene. Materials would complement the appearance of the existing dwelling. The proposal would therefore cause no harm to the character and appearance of the area.
7. The proposal would therefore accord with policies COM 01 and GEN 02 of the Breckland Local Plan (2023) which amongst other things require that development integrates to a high degree of compatibility with the surrounding area in terms of form, massing and design and require development which respects and is sensitive to the character of the surrounding area. There would be no conflict with Policy ESD.P3 of the Attleborough Neighbourhood Plan (2018) which amongst other things states that all new development should seek to be of the highest sustainable and innovative design quality.

Conditions

8. The standard three year time limit is not necessary as part of the proposal already appears to have commenced. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. It is also necessary that the materials to be used in the construction of the external surfaces of the development hereby permitted should match those used in the existing building.
9. With regard to the final suggested condition of the Council, there is nothing to indicate business or commercial use of the garage, which would require planning permission in its own right. It is suggested the garage will provide storage for the appellants bicycles and vehicles. A condition restricting the use of the garage would fail the test of necessity and has not therefore been included.

Planning balance and conclusion

10. I have not identified conflict with the development plan and there are no considerations, including the Framework¹, which indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T Burnham

INSPECTOR

¹ National Planning Policy Framework December 2023.