



Appeal Decision

Site visit made on 19 November 2024

by D R McCreery BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2024

Appeal Ref: APP/K2610/W/24/3345627

Holly Cottage, 54 Primrose Corner, Woodbastwick, Norwich NR13 6JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mark and Kate Bowen against Broadland District Council.
 - The application Ref is 2024/0523.
 - The development proposed is refurbishment and extension to existing cottage including construction of extensions to the outbuilding and the main house, alterations to the main house and construction of garden shed, summerhouse, and carport. Associated external works including modifications to existing drainage infrastructure and landscaping work.
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Decision

1. The appeal is dismissed and planning permission is refused.

Applications for costs

2. An application for costs by Mark and Kate Bowen is the subject of a separate decision.

Preliminary Matters

3. As this is a failure case I have no formal decision notice from the Council. The main issue is based on the area of dispute identified in the Council's statement of case. Considering the evidence provided, I am satisfied that the proposal is otherwise in accordance with the development plan for the area. I have also noted the conclusions of the Appellant's protected species survey and have no reason to dispute its findings.
4. Potential errors were identified in the Council's statement of case, including an incomplete list of suggested conditions. As I am duty bound to consider whether otherwise unacceptable development could be made acceptable by conditions the Council were given the opportunity to complete the suggested conditions, but they declined to do so within the given time. As the issue arose after the deadline for final comments, a more wholesale update to the Council's statement of case was not deemed admissible as it would have likely led to a more extensive delay to the appeal decision.

Main Issue

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

Reasons

6. The character of the area is rural, with the site at the edge of a small cluster of dwellings arranged informally towards the corner of Primrose Corner and the busier B1140. The main house on the site is said by the Appellant to be formerly two cottages and is of traditional appearance. The thatched roof, modest openings, and relatively modest scale are positive contributors to its appearance.
7. The dwelling is positioned towards the rear of the site, relative to the access on Primrose Corner. There are close to medium distance public views of the house from Primrose Corner across its pleasant, mature garden. These are filtered in places through trees and other natural planting, but still allow for close appreciation of the dwelling, its traditional appearance, and its garden setting. The building is given additional prominence as it is the first dwelling seen in this cluster of houses when moving towards the junction with the B1140.
8. The positioning close and parallel to much of the rear boundary, coupled with the relatively flat topography, results in extensive views of the dwelling across farmland from the B1140. Given the busy nature of the road, these are primarily seen from vehicles as part of a kinetic experience of moving through this countryside area. The roof of the dwelling is particularly notable feature.
9. In both instances, the traditional appearance of the house makes a positive contribution to the character and appearance of the area. It re-enforces the rurality of the surroundings and, whilst not a designated heritage asset, is a prominent and attractive building in its own right. Although the house has been extended, the subservient nature and (in the case of the main outbuilding) positioning closer to the side boundary, of additions does not detract materially from the main dwelling as the focal point.
10. As a distinctive traditional material complementing the scale and appearance of the building, the thatched roof is a significant contributor to its character and appearance. In turn, its prominence is such that the roofing material has a positive impact on the character and appearance of the wider area. Its loss would diminish the quality and appearance of the building within the street scene, as experienced from Primrose Corner, and the landscape, as experienced from the B1140. The result would be a harmful effect on the character and appearance of the area.
11. Whilst not out of character as a roofing material in the area, the use of pan tiles and achievement of congruence with neighbouring buildings that are clearly of a different character and appearance would not be beneficial. It would instead relegate this standout building of traditional appearance more towards the background, to the detriment of the character and appearance of the area.
12. The proposed carport would be a substantial structure in this built context. Although open fronted, it would otherwise be of solid appearance with a pan tile roof, as proposed for the main dwelling and the other additions. The location would be close to the existing outbuilding, forward of its side wall and between it and the road, creating a close visual association with the main dwelling and its additions.

13. The result, as seen from Primrose Corner, would be the view of a substantially solid, large structure seen within the context of the existing buildings, which it would not be visually subservient to. In close public views it's positioning and appearance would detract from the main dwelling as seen within its garden setting by reducing its perceived prominence and role as a visual focal point. The result would be a negative effect on the character and appearance of the area.
14. When viewed singularly, the proposed link building, single storey replacement extension, and other outbuildings are of a scale, location, and nature that would not impact detrimentally on the character and appearance of the area. Although the solar panels would introduce a material that would not contrast well with the traditional appearance of the main building, their location on lower level additions would limit their overall impact. In reaching a view on this aspect of the proposal I have also paid regard to Policy GC4 of the Development Management DPD's (DMDPD) encouragement of reducing reliance on non-renewable energy sources as part of achieving a high standard of design, alongside specific policy in GC5.
15. However, when seen in the context of the wider scheme (to include the replacement of the thatched roof and the carport) the overall effect would be a harmful impact on the character and appearance of the area.
16. Policy GC4 also refers to meeting the reasonable amenity needs of all potential future occupants. While I have paid regard to the stated needs of the Appellant, including the maintenance issues involved with the thatched roof, when considered alongside other elements of the policy they do not lead me to conclude that Policy GC4 would be accorded with.
17. Although I have noted the Appellant's Foul Drainage Strategy, the proposed changes to drainage arrangements are not detailed to a sufficient degree to understand what the effects would be, if the works constituted development requiring planning permission. This includes any impacts on the topography of the site and nearby trees. This may have been capable of resolution by condition. However, in light of my conclusions on other aspects of the proposal, it is not necessary for me to consider this matter further.
18. For these reasons, the proposal would have a harmful effect on the character and appearance of the area. There is conflict with the development plan, including Policy GC4 of the DMDPD in relation to the achievement of a high standard of design that pays adequate regard to the character and appearance of an area and reinforcing local distinctiveness.

Other Matters

19. As I have no substantiated evidence of an occupancy condition being relevant, this matter has not influenced my overall conclusions on the main issue.

Conclusion

20. The proposal would have a harmful effect on the character and appearance of the area. Conflict with the development plan for the area amounts to conflict with the plan as a whole.

21. The need to support energy efficiency to existing buildings is a matter that attracts significant weight (Paragraph 164, National Planning Policy Framework). The Appellant's wish to make the house more thermally efficient is understandable but is not evidenced in any great depth and, in any event, must also be weighed against other factors, including fostering well designed places and protecting and enhancing the built environment. Weighing the matter up, and being mindful that the National Planning Policy Framework needs to be considered as a whole and has policies that pull in different directions, the Framework is not a material consideration indicating that the development plan should not be followed.
22. For the reasons above, and paying regard to all other matters, the appeal is dismissed, and planning permission is refused.

D R McCreery

INSPECTOR

