



Appeal Decision

Site visit made on 28 March 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/U2615/D/24/3357168

4 Belvidere Road, Great Yarmouth, Norfolk NR30 4HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Scott Glen against the decision of Great Yarmouth Borough Council.
 - The application Ref is 06/24/0495/HH.
 - The development proposed is described as a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 4 Belvidere Road, Great Yarmouth, Norfolk NR30 4HZ in accordance with the terms of the application, Ref 06/24/0495/HH, and 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 plan referenced, 609-01 Rev B – Planning.
 - 3) 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.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issue

3. The main issue is the effect of the development on the living conditions of existing and future occupiers of the site with particular regard to external living space provision.

Reasons

4. The appeal dwelling is a two-storey end terraced property with a part two-storey and part single-storey outrigger to the rear. The dwelling is set within a narrow and linear plot with a modest L-shaped external yard to the side and rear of the building. The surrounding area is predominantly residential in character of mainly terraced

properties in a close-knit pattern of development. Many of the terraced properties in the area have small rear yards and some dwellings have been developed close to, or up to, their site boundaries. The site lies opposite the Great Yarmouth Old Cemetery which has an access off Belvidere Road.

5. The appeal relates to the construction of a modest single storey rear extension which, consequently, would reduce the level of outdoor living space for the host dwelling. The Great Yarmouth Design Code Supplementary Planning Document 2024 (the SPD) provides design guidance to assist in the delivery of policy compliant development. The SPD, at 1.4, confirms that its content does not introduce new policy. To this end, I am mindful that the provisions of the SPD are for guidance only, although I acknowledge that its content is a material consideration. Helpfully, paragraph 1.4 of the SPD confirms that the design detail provisions are categorised into “required”, “expected” and “best practice” requirements. The SPD confirms that all developments should comply with the “required” standards, and these carry the most weight in decision making. “Expected” standards are confirmed as being recognised approaches for development to comply with policy. However, the SPD acknowledges that there may be other ways for compliance, and that these developments should be assessed on a case-by-case basis.
6. The SPD, at BD6, indicates that terraced properties should provide 25sqm of outdoor living space as a minimum. The standards set out in BD6 are identified as being “expected” outcomes for a development proposal. Therefore, failure to adhere to this standard need not mean conflict with the policies of the development plan and, in accordance with 1.4 of the SPD, an assessment of the specific circumstances of the case may be necessary.
7. It is understood that the existing level of outdoor living space is below the suggested 25sqm standard. Therefore, the availability of meaningful outdoor space is already constrained at the site. The proposed extension would further reduce the level of outdoor living space by eroding the space to the immediate rear of the building. However, space would be retained both to the rear and side of the building and, whilst narrow, this remaining space would be sufficient for some basic household amenities to be carried out.
8. In this instance, the context of the site is also an important factor in my consideration. The immediate context of the site is largely characterised by close-knit terraced properties with many of these dwellings having very small rear yards. No.1 Belvidere Road (No.1), which lies within the same terraced group, has been extended to the rear. The proposed extension, and resultant outdoor living space, would be similar in extents to that found at No.1. Furthermore, Nos.14 - 22 Hammond Road (which are served by the same rear alleyway as the appeal site), are terraced dwellings of similar scale and plot size to the appeal dwelling. These all have very small rear yards. Many of these properties have been developed very close to, or up to, their rear boundaries. Evidently, numerous properties in the immediate area appear to have outdoor living space which is also well below the expected standard of the SPD. Therefore, I find that limited provision of outdoor living space to be a characteristic of the immediate area. The resultant outdoor living space proposed would be similar to other properties in the immediate area and, therefore, I do not find the development to be out of context in this regard.

9. Given the existing constrained nature of the site, I consider that an appropriate balance also needs to be struck between improving internal living space and retaining an acceptable level of external space. In this instance, the very modest extension would enhance the internal living environment through the provision of a larger kitchen. The development would also retain a degree of useable external space, as I have identified above, which would be of commensurate provision to other properties in the area.
10. Furthermore, whilst not determinative, I note that the site lies immediately opposite the Great Yarmouth Old Cemetery. This is a large area of green space to which the public have access during the day time. The close proximity of this space is such that it would be conveniently accessible for occupiers of the appeal site for some limited recreational purposes.
11. Therefore, while the development falls below the expected standard for outdoor space set out in the SPD, I consider that there are factors in this case which would mean that living conditions would not be so adversely affected to result in significant harm.
12. For the above reasons, I conclude that the development would not have a harmful effect on the living conditions of existing and future occupiers of the site with particular regard to external living space provision. Therefore, the development complies with Policies A1 and H9 of the Great Yarmouth Local Plan Part 2 (2021). Together, amongst other things, these require that development does not lead to an unacceptable impact on the amenities of existing development and that it does not deprive the existing property of suitable amenity.

Conditions

13. I have imposed standard conditions relating to the commencement of development, and to require compliance with the submitted plans for certainty. I have suggested that materials match those used on the existing building in the interest of the character and appearance of the area.

Conclusion

14. For the reasons given above the appeal should be allowed.

D Cleary

INSPECTOR