

**Decision on Appeal to the Secretary of State:
Mr Lester Bayfield, 15 Top Road, Belaugh**
Report by Planning Assistant

Summary: This report relates to the decision on an appeal made to the Secretary of State concerning the Authority's decision to refuse permission for the replacement of an existing dwelling. The appeal was dismissed.

Recommendation: That the report be noted.

1 Introduction

- 1.1 This report relates to the decision made by the Secretary of State concerning an appeal made by Mr Lester Bayfield against the Authority's decision to refuse planning permission for an orangery-style extension (retrospective) to an existing dwelling and a proposed replacement boat house at 15 Top Road, Belaugh (BA/2011/0164/FUL).
- 1.2 The application was refused under delegated powers on 24 August 2011.
- 1.3 The site is outside the Development Boundary and is not in a Conservation Area.

2 Nature of Appeal

- 2.1 The application was refused on policy grounds as the proposed replacement boathouse was considered to be of an inappropriate design and hence contrary to saved Policies B11 and B12 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).
- 2.2 The appeal proposal sought retrospective consent for an orangery-style extension to the existing dwelling. There was no objection to this aspect of the proposal and it did not feature in the reasons for refusal of the application.
- 2.3 The application also proposed the replacement of an existing single storey boathouse on a larger scale with a first floor level, external staircase and cantilevered balcony on the river elevation. The Authority considered that the replacement boathouse, by virtue of its scale and form, would create an inappropriate and dominating feature that would result in significant detrimental impacts on the quiet and semi-natural character and appearance of the surrounding area. It was also considered that it would disrupt the transition in development into and out of the village of Belaugh when viewed

from the river. The site is outside the Belaugh Conservation Area but it is considered that the existing boathouse makes a positive contribution to the wider setting of the Conservation Area and the proposed boathouse would detract from this setting.

3 The Issues

3.1 The Inspector, J A B Gresty MA MRICS considered the main issue to be:

- the effect of the proposed boathouse on the character and appearance of the area.

4 The Decision

4.1 The Inspector noted that the existing boathouse is a simple, single storey wooden structure, clad with timber boarding and a distinctive thatched roof. It was noted that inside, the boathouse has a wet dock which opens onto the river. The low eaves, approximately 1.5 metres above ground level, were noted to be a particular feature of the boathouse, helping it to sit comfortably into the low lying watery landscape. The Inspector summarised that the building is an attractive feature of the riverbank that complements the rural character and appearance of the surrounding area.

4.2 Inconsistencies in revised plans which had been submitted were noted, however, the Inspector observed that it was clear the new boathouse would be considerably taller, wider and longer than the existing boathouse. As a consequence of the overall size and height and the two storey design with external features the Inspector considered the new building would stand out very prominently in the landscape, especially when viewed from the river.

4.3 The Inspector noted the undeveloped rural character and appearance of the immediate surrounding area. The proposed boathouse was considered to have a strongly domestic appearance and as a consequence of its size and height the Inspector considered that it would stand out as being at odds with the surrounding rural landscape. The Inspector considered this was contrary to the design aims of saved Policies B11 and B12 of the Broads Local Plan (since superseded) and Policy CS1 of the adopted Core Strategy.

4.4 The location of the appeal site outside the main body of Belaugh was noted by the Inspector, and the views of the village and church from the river by the appeal property were observed. The Inspector considered that the rural surroundings add to the character of the village and Conservation Area. The Inspector did not consider the effect of the proposed development on the character and appearance of the Conservation Area to be great, but it was not considered that the development would enhance the setting of the village when viewed from the river, thus not meeting the general thrust of saved Policies B11 and B12 of the Broads Local Plan (since superseded) and Policy CS1 of the adopted Core Strategy.

- 4.5 In conclusion, the Inspector considered the height, size and design of the proposed new boathouse would be harmful to the character and appearance of the area.
- 4.6 In considering other matters, the Inspector noted that the Authority did not object to the single storey extension to the dwelling. The Inspector did not consider the box-like design of the extension to complement the dwelling, but noted that it was not particularly prominent in the landscape and does not unduly detract from the character and appearance of the wider area. Inaccuracies in the submitted plans of this existing extension were noted and therefore the appeal was not allowed with regard to the extension to the dwelling as indicated on the application drawings.
- 4.7 The Inspector also assumed there to be a drafting error in relation to the position of the proposed boathouse on the site and noted that, had the design been considered acceptable, clarification on whether the existing boathouse would be demolished would have been sought.
- 4.8 The aspiration of the appellant to increase the eaves height of the boathouse to avoid stooping to get into it was noted by the Inspector who considered that this could be achieved without such a large increase in height and size of the building overall. The appellant's concerns were therefore not considered to outweigh the harm the new building would do to the character and appearance of the area.
- 4.9 The appeal was dismissed.

Background papers: Application and Appeal Files: BA/2011/0164/FUL and BA/2011/0009/REF.

Author: Maria Hammond
Date of report: 15 December 2011

Appendices: None