
Appeal Decision

Site visit made on 21 September 2016

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2016

Appeal Ref: APP/V2635/W/16/3152686

Coach House, 12 Church Lane, South Wooton, Norfolk PE30 3LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Turner against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 16/00214/O, dated 2 February 2016, was refused by notice dated 1 April 2016.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at Coach House, 12 Church Lane, South Wooton, Norfolk PE30 3LJ in accordance with the terms of the application, Ref 16/00214/O, dated 2 February 2016, subject to the following conditions:
 - 1) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 - 2) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
 - 3) Insofar as the extent of the site is concerned, the development hereby permitted shall be carried out in accordance with approved plan 1116-01.

Procedural Matters

2. The appellant states that the Council's Site Allocations and Development Management Policies Document is not yet adopted and as such should be afforded little weight. However, the evidence before me suggests that the document has been subject to independent examination and is imminently due to be ratified by Council members for adoption as part of the Development Plan. I therefore afford its Policies substantial weight.
 3. In addition, the South Wooton Neighbourhood Plan has been subject to referendum, independent examination and formal adoption. As such it too attracts substantial weight as part of the Development Plan.
 4. The proposed development seeks outline planning permission for the erection of a dwelling with all matters reserved for future consideration. I have therefore treated the submitted plan as indicative for this purpose.
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Main Issue

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

Reasons

6. The appeal site is a roughly rectangular parcel of land to the front of Coach House. With the exception of The Limes to the east, the appeal site is within a street scene of mainly detached bungalows that face gable end onto the road. It is currently open and undeveloped but with no discernible features, a temporary fence to the northern boundary and close boarded timber fencing to the east and west. There are a mix of property types, designs and sizes in the wider area which also includes a school, a church and a meeting hall.
7. The appeal site, as an open space, does not currently contribute significantly to the character or appearance of the area. Whilst outline planning permission is sought for the proposed development, such could be accommodated within the site which would bear a close resemblance to the established built form of the street scene.
8. I accept that the curtilage afforded to a dwelling on the site would not be significant in size terms. However, and again with the exception of The Limes, buildings and their plots are generally modestly sized within the dense and informal small cluster of development where the appeal site is located. Principally this is in respect of the dwellings that front Church Lane between Church View and The Limes and Greenacres Close to the north.
9. For these reasons, the proposed development would not cause harm to the character and appearance of the area. As such, there would be no conflict with Policy CS08 of the Core Strategy¹, Policy DM15 of the Emerging Local Plan² or the South Wootton Neighbourhood Plan. These Policies seek to ensure that, amongst other things and alongside section 7 of the Framework³, new development is of a high quality, responds to the context and character of places and protects and enhances the amenity of the wider environment.
10. I also find no conflict with Policy DM1 of the Emerging Local Plan which advocates a positive approach to development that accords with the Development Plan.

Other Matters

11. The Council refer to a planning permission refused in 2002 for the erection of a detached bungalow on the plot which was subsequently dismissed at appeal. On the basis of the limited evidence before me the appeal was dismissed over concerns that the attractive setting of Coach House would be lost through being visually cut off and enclosed by modern development, when taking into account what had been approved on an adjacent site.
12. The situation on the site has moved on considerably since this decision. Planning permission has been granted and implemented for a front extension

¹ King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy 2011

² Site Allocations and Development Management Policies Pre-Submission Document 2015

³ The National Planning Policy Framework 2012

to Coach House in a contrasting finish which to my mind has diluted its original appearance. The clearance of the appeal site has also resulted in a gap in the street scene which has no discernible features that contribute positively to it. Furthermore, and whilst not determinative in justifying the erection of a dwelling, planning permission for a detached garage on the appeal site is extant and as such, if it were to be implemented, would further impose on the wider setting of Coach House.

13. For these reasons, the dismissal of an appeal for a single bungalow on the same site as referred to above does not mean that planning permission should be withheld on this occasion.
14. I also note the appellant's questioning of whether the Council is able to demonstrate a five year housing land supply as required by the Framework. The evidence before me suggests that a recent appeal decision has established that the Council are able to demonstrate the required supply. In any event I have found that harm would not arise out of the proposed development and as a result it would accord with the Development Plan. As per the Framework therefore, planning permission should be granted.

Conditions

15. I note the conditions that have been suggested by the Council and have regard to the guidance contained within NPPG⁴. Where necessary I have made consequential changes for clarity and enforceability.
16. I have included the standard conditions setting out the respective time limits for the submission of the reserved matters and the commencement of development. With regards to suggested conditions 1 and 2, these repeat the requirements of the first two conditions I have imposed and as such they are unnecessary. Suggested condition 5 clarifies the extent of the site to which the planning permission relates which I have imposed as condition 3 for certainty.

Conclusion

17. For the reasons and subject to the conditions set out above, the appeal is therefore allowed.

John Morrison

INSPECTOR

⁴ National Planning Practice Guidance