
Appeal Decision

Site visit made on 30 August 2016

by Jonathan Price BA(Hons) DipTP MRTPI DMS

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

Decision date: 30 September 2016

Appeal Ref: APP/V2635/W/16/3151288

23 Whiteways, Woodside Avenue, Dersingham, Norfolk PE31 6QB

- 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 B Rand against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 15/02117/F, dated 22 December 2015, was refused by notice dated 2 March 2016.
 - The development proposed is construction of chalet dwelling and garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development is taken from the application form, which is repeated in the Council's decision notice. However, subsequent to the application and prior to the Council's decision, the plans were amended to delete the connected front garage, which also included a third bedroom. This decision relates to these amended plans.

Main Issues

3. The main issues are whether this proposal would provide acceptable living conditions for the occupiers of 23 Woodside Avenue, with particular regard to the amount of remaining private garden space, and what the effects would be on the character and appearance of the area.

Reasons

Living conditions

4. The chalet dwelling would occupy a plot of land provided by the larger part of the existing garden to No 23 to its northern side. This property would retain a smaller amount of private rear garden to the west and south sides, as well as the small area of garden at the front, where there is space for car parking.
5. An appeal¹ against the refusal of outline planning permission for a similar proposal for a chalet dwelling on this northern garden site was dismissed on 18 April 2011. This is a material consideration. The Inspector considered No 23 to be a family house and that the remaining outdoor garden would be of

¹ APP/V2635/A/10/2141245/WF

limited use to provide for the recreational needs of a young family with children.

6. Since this previous appeal a thick hedge along the rear boundary has been replaced by fencing and a workshop/shed has been removed to create a lawned area to the sunnier, south side of No 23. Whilst the total amount of outside space is no different from that considered in the previous appeal, the changes made to this area now demonstrate that acceptable living conditions would be provided for future occupiers of this two-bedroom house, who would provide an adequately-sized private garden area to sit out in and to dry clothes.
7. In this regard the proposal would comply with Core Strategy² (CS) Policy CS08 and Site Allocations, Development Management³ (SADM) Policy DM 15 and paragraphs 17 and 56 of the National Planning Policy Framework (the Framework) in respect of development providing acceptable levels of amenity for future occupiers.

Character and appearance

8. The previous appeal decision was in respect of an outline application and this proposal now provides full details. These show a reduced width for the chalet dwelling, which would be set back further in this site than in the layout proposed previously, built at floor-levels which would result in a roof height matching those of the neighbouring houses on either side.
9. The details provided in this application have enabled a fuller assessment of how a dwelling here would relate to the character of its surroundings. Whilst No 23 is positioned quite tightly into the south-west part of its plot, this house is set within a garden space which provides for a density of development similar to that of the older properties that run along the north of Woodlands Avenue, where the dwellings are generally more spaciouly arranged, and setback further from the road, than along its southern side.
10. No 23 is positioned at the end of Woodlands Avenue and compliments the general character of the low density housing along the north side of this street, notwithstanding the occasional example of infilling further to the east, such as at Nos 2a and 4a. Although No 23 is visible from the entrance to Woodlands Avenue from the east, the plot where the chalet dwelling would be sited is screened by the trees in the front of No 10 and only becomes visible at a point further west, near the junction with Glebe Road. Nevertheless, this existing open garden area to the north No 23 contributes to the well-spaced and open character of the surrounding housing where, as the appellant observes, the projecting garage at No 25 then provides a visual break to the tighter grain of the more recently-built housing further along the private drive to the north.
11. Whilst the position of No 23 in its plot allows a dwelling to be physically accommodated in this side garden space, the details show this to be a close-fitting development which would contrast with the arrangement of the immediately surrounding properties. The views of housing to the rear of the appeal site along Pansey Drive do not alter the low density character of the housing in this part of the street which the new chalet dwelling would disrupt.

² King's Lynn and West Norfolk Borough Council Local Development Framework Core Strategy – adopted version July 2011

³ King's Lynn and West Norfolk Borough Council Site Allocations and Development Management Policies Pre-submission Document – January 2015.

12. The development of this quite narrow site, which tapers to the rear, would result in a cramped form a development which would contrast harmfully with the sequence of housing in more spacious plots that runs west along the north side of Woodland Avenue and defines the character and appearance of the end part of this road. As a consequence the proposal would not be supported by CS Policy CS08 which seeks that new development responds to context and character by ensuring a layout and density that enhances the quality of the environment.
13. The Council's Local Plan⁴ of 1998 remains in force and this proposal conflicts with the aims of Policy 4/21 where a new dwelling, which might otherwise be acceptable in a built-up area under Policy 8/1, would damage the appearance of its built surroundings. The SADM is reaching an advanced stage and so significant weight is also given to the conflict I find with emerging Policy DM 15 whereby this dwelling would not respond sensitively and sympathetically to its local setting.

Conclusions

14. This proposal would result in the net addition of one dwelling which would help the Council meet its housing supply targets and provide for two modestly-sized homes that might prove attractive for small households without the desire or need for large gardens. However, these benefits would be outweighed by the harm caused to the spacious character of the immediate built surroundings. This scheme would not be supported by the Framework principles that planning decisions always seek to secure high quality design which takes account of the different roles and character of different areas. As a consequence, having taken into account all other matters that have been raised, I conclude that this appeal should be dismissed.

Jonathan Price

INSPECTOR

⁴ Adopted King's Lynn and West Norfolk Local Plan 1998