

Appeal Decision

Site visit made on 18 October 2016

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 16th November 2016

Appeal Ref: APP/Y2620/W/16/3153002

Meadow House, Providence Place, Briston, Melton Constable, Norfolk NR24 2HZ

- 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 & Mrs Raymond & Sally Craske against the decision of North Norfolk District Council.
 - The application Ref PO/16/0460, dated 8 April 2016, was refused by notice dated 6 June 2016.
 - The development proposed is a two storey cottage style dwelling and garage.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey cottage style dwelling and garage at Meadow House, Providence Place, Briston, Melton Constable, Norfolk NR24 2HZ in accordance with the terms of the application, Ref PO/16/0460, dated 8 April 2016, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) 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.
 - 3) 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.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. GC/206/01 Rev A but only in respect of those matters not reserved for later approval.
 - 5) No development shall take place until an Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Procedural Matter

2. The planning application was made in outline with all matters reserved. I have had regard to the site and location plans, but have treated the siting of the
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dwelling, garage, access and hard surfacing as shown on the site plan as indicative only.

Main Issues

3. The main issues are:

- (a) the effect of the proposed development on highway safety;
- (b) the effect of the proposed development on the character and appearance and biodiversity of the area with regards to trees and;
- (c) whether the proposal would provide satisfactory living conditions of future occupants of the development.

Reasons

Highway safety

- 4. The appeal site is located at the end of a short and narrow lane off Providence Place known as The Driftway. Both roads serve a limited number of dwellings and were very quiet during my site visit on a weekday lunchtime. Providence Place connects with Edgefield Road, which is classified by the local highway authority as a 'remaining link road' within their route hierarchy as a road that connects main and secondary roads with frontage access and frequent junctions. The road connects Briston and the B1354 to Edgefield and the B1149.
- 5. At my site visit, Edgefield Road was quiet, with the speed limit restricted to 30mph as far as the settlement edge of Briston to the east of the junction with Providence Place. It is likely to be busier at peak times, but it remains a minor route between villages. In addition to the speed limit sign as you approach Briston along Edgefield Road from the east, there is also a warning sign notifying drivers of a staggered junction ahead for Providence Place and West End. There are no road markings or pavements along Edgefield Road and a number of cars were parked on the road during my site visit including in front of the junction with Providence Place.
- 6. The Providence Place junction is located on bend in Edgefield Road, which reduces visibility from the junction towards traffic travelling from the east. Traffic travelling from the east is similarly unable to see vehicles waiting at the junction until near the bend. The parked cars opposite the junction results in traffic travelling east moving closer to the junction and emerging vehicles. As a consequence, there is some risk to highway safety from this junction in terms of collisions and other incidents.
- 7. The local highway authority estimates that the proposed development would result in six extra traffic movements per weekday using this junction. However, for a junction already used by many properties, this would be a minor increase in its use onto a minor road where speeds should no more than 30mph. The parked cars opposite the junction help to slow traffic further. Cars approaching the junction from the east should take extra care as a result of the warning sign, while vehicles exiting are likely to be more cautious due to the reduced visibility. The probability and severity of an incident such as a collision is thus limited, and would not increase significantly as a result of the proposed development. The lack of pavements presents some risk to

pedestrians, but the relative quietness of the road and the scale of the proposed development limit the probability and severity of any incident arising as a result of the proposed development.

8. Concluding on this main issue, the proposed development would have an acceptable effect on highway safety. Therefore, it would accord with Policy CT5 of the North Norfolk Core Strategy ('the Core Strategy') which seeks proposals capable of being served by safe access to the highway network and the expected nature and volume of traffic generated could be accommodated by the existing road network. It would also meet the aims of paragraph 32 the NPPF which seeks safe and suitable access and the refusal of development on transport grounds only where the residual cumulative impacts are severe.

Character and appearance and biodiversity with regards to trees

9. The Driftway is a short and narrow lane that contains high hedging along both sides, although punctuated with gaps for houses and their driveways. The appeal site has a line of tall mature trees along its south, west and north boundaries, with a mix of deciduous and non-deciduous species. There are few trees within the site itself and these are limited to smaller specimens. The character and appearance of the area surrounding the appeal site is thus partly defined by boundary planting around residential properties.
10. As an outline application with all matters reserved, it is not possible to know the exact layout, access or landscaping details. Nevertheless, given the relationship of the appeal site boundary with neighbouring sites, the access would likely be in the south-east corner next to the lane. At this location, there is a sizeable gap between a sycamore and an ivy covered tree. The loss of the latter, if necessary to accommodate the access, would not greatly reduce the boundary planting and would provide an access similar in appearance to other accesses along The Driftway.
11. Similarly, the appeal site is large enough to accommodate a new dwelling without inevitably resulting in the damage and loss of many boundary trees. There might need to be some tree works, but the boundary planting is robust enough to retain the overall character and appearance. Such matters could be addressed through a condition requiring an arboricultural assessment prior to the commencement of development.
12. The Council has also identified the biodiversity value of the trees. I have not been presented with any detail evidence on this aspect, but accept that the trees are likely to provide good habitats for birds and other species. However, the loss of many boundary trees is not inevitable and as such, the overall biodiversity value would remain.
13. Concluding on this main issue, the proposed development would have an acceptable effect on the character and appearance and biodiversity of the area with regards to trees. Therefore, it would accord with Policy EN4 of the Core Strategy which, amongst other things, expects development to respect the character, landscape and biodiversity of the surrounding area.

Living conditions

14. At my site visit, I observed that the density and height of the boundary trees results in a degree of overshadowing within the appeal site. However, the site is large enough to accommodate a dwelling that would have sufficient

separation distance between trees and windows with a reasonable rear garden that would not be hemmed in by vegetation. As an outline application with all matters reserved, the appearance and layout of the dwelling and orientation of windows and doors has yet to be fixed. As mentioned above, some works to trees would not harm the character and appearance and biodiversity of the area and could help to improve the amount of light to elevations and the garden. Such matters could be addressed through the reserved matters stage and I am satisfied that a solution could be reached that adequately addresses the different issues.

15. Concluding on this main issue, the proposed development would have an acceptable effect on the living conditions of future occupants of the dwelling. Therefore, it would accord with Policy EN4 of the Core Strategy which requires new dwellings to provide acceptable residential amenity.

Conditions

16. I have imposed standard conditions relating to the submission and timing of reserved matter applications and the commencement of development for clarity. I have imposed a condition requiring an arboricultural method statement and tree protection plan, as this is necessary to establish the level of tree works needed prior to the commencement of development. I have not imposed a condition relating to parking and turning areas, as suggested by the local highway authority, as this can be addressed at the relevant reserved matters stage.

Conclusion

17. The proposed development would have an acceptable effect on highway safety, the character and appearance and biodiversity of the area with regards to trees, and the living conditions of future occupants of the dwelling. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR