
Appeal Decision

Site visit made on 4 April 2017

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 20 April 2017

Appeal Ref: APP/F2605/D/16/3167427

Moatside, Pages Lane, Saham Toney, Thetford, Norfolk IP25 7HJ

- 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 John Simmons against the decision of Breckland District Council.
 - The application Ref 3PL/2016/1062/HOU, dated 29 August 2016, was refused by notice dated 25 November 2016.
 - The development proposed is to remove an existing 2m hedge to the front boundary and replace with a brick wall with decorative railings 1.7m.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is within the village of Saham Toney and is a bungalow which is set back from the road behind a parallel service road. There are other dwellings nearby but also open farm land in close proximity. I saw on my visit that the frontage of the field opposite is overgrown. Generally front boundaries are formed by hedges and trees and the frontages of nearby dwellings are enclosed by low walls and fences. There are existing hedges along the front boundary of the site either side of the entrance which the proposed walls would replace. The site is within the settlement boundary for the village as defined in the development plan.
 4. The overall height of the walls at 1.7m would be greater than other front walls and fences in the immediate area and their combined length of 48m would be significant. The development would for these reasons be dominant in terms of its scale. The railing inserts, while relieving the mass to some extent, would not alter this overall harmful effect. The walls would also have a suburban appearance which would be at odds with their generally rural surroundings.
 5. The appellant says that the property has previously been flooded from surface water entering through the hedge and drive during heavy storms. The service road is lower than Pages Lane and the Highway Authority has previously advised the appellant that the construction of a wall and a ramped entrance would be the only practical and cost-effective way of preventing future
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flooding. The proposal would however go further than necessary to protect against flooding and this limits the weight that I give to its benefit in this respect.

6. Adjacent to the site is a grade II listed building known as Page's Place which was subject to works and surrounded by scaffolding at the time of my visit. The Council considers that the setting of the listed building would not be adversely affected by the proposal. The wall would be seen in the foreground when looking towards the listed building from the road to the south-east. Seen from that direction the wall would be likely to detract from the setting of the building to some extent in that it would be a dominant feature. However because the wall would be some distance away its effect on the setting of the building would be slight.
7. In accordance with paragraph 134 of the National Planning Policy Framework I must weigh that less than substantial harm to the setting of the listed building against the public benefit of the proposal. Although the harm would be slight I give great weight to the conservation of the heritage asset. The limited weight that I give to the benefit in terms of flood protection is not sufficient to outweigh the weight that I give to the harm to the setting.
8. The appellant has referred to approved developments which he says will alter the character and appearance of the area however details of those developments are not before me. I saw the nearby derelict buildings referred to by the appellant on my visit but I find nothing to alter my conclusion on the main issue. For the reasons given I find that the proposal would unacceptably harm the character and appearance of the area. The identified benefit would not outweigh that overall harm.
9. Policy DC1 of the Breckland Core Strategy and Development Control Policies (2009) requires protection of the quality of the landscape or townscape. Policy DC16 requires preservation and enhancement of the existing character of an area including in terms of boundary treatments and enclosure. For the reasons given the proposal would not accord with those policies.
10. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR