
Appeal Decision

Site visit made on 7 November 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 15 November 2017

Appeal Ref: APP/V2635/W/17/3178989

The Bungalow, Waterworks Road, Old Hunstanton PE36 6JE

- 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 D Lloyd against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 16/01084/F, dated 8 June 2016, was refused by notice dated 13 January 2017.
 - The development proposed is construction of 4 new dwellings following demolition of existing bungalow.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the:
 - character and appearance of the area bearing in mind it would be within the Norfolk Coast Area of Outstanding Natural Beauty (AONB);
 - living conditions of the occupants of the neighbouring property to the north with particular regard to privacy.

Reasons

Character and appearance

3. The appeal site is a small bungalow in a large plot on a narrow lane characterised by properties of a variety of sizes and styles mainly set in well landscaped plots. The properties are positioned varying distances from the lane with spaces between buildings which vary in height. Thus the area has a pleasant varied and verdant rural character and appearance.
4. I acknowledge the proposed dwellings would be viewed next to a modern building and there are other modern buildings nearby. I also note the proposed dwellings incorporate traditional features which reflect other properties in the area and would be finished in high quality materials matching those used in the locality.
5. However, the replacement of the modest existing bungalow with four large detached dwellings of roughly the same height, in a formal grid layout would introduce a significant additional bulk of relatively uniform development into the Waterworks Road street scene.

6. When viewed from Waterworks Road, the gable ends of proposed houses 1 and 2 would be tall and imposing with proposed houses 3 and 4 and the proposed garage building in the background. Through its combined scale and uniform appearance the proposed development would dominate this section of the Waterworks Road street scene. The retention of the existing and additional landscaping would not overcome this harm and overall I find the proposal would be visually at odds with and would be harmful to the pleasant varied, rural character and appearance of the area.
7. However, even though the proposed dwellings would be visible from the countryside and the footpath to the north east, they would be viewed against the wider built up area of Old Hunstanton and their appearance in the landscape would be softened by existing and proposed landscaping.
8. Therefore, I find no conflict with Policies CS07 and CS12 of the Kings Lynn and West Norfolk Borough Council Core Strategy (2011) (CS) or Policy DM12 of the Kings Lynn and West Norfolk Borough Council Site Allocations and Development Management Plan (2016) (SADMP) which seek to protect the landscape character of the AONB. However, for the reasons given the proposal would not accord with Policy CS06 of the CS, Policy DM15 of the SADMP and paragraphs 56 to 58 of the Framework which taken together, aim to maintain local character and achieve good design.

Living conditions

9. The north facing elevation of proposed house 4 would have high level windows and the proposed balcony would have a tall screen as such subject to appropriate planning conditions, the occupiers of proposed house 4 would not overlook the private outdoor space of the neighbouring property to the north.
10. Even though, the neighbouring property to the north has a number windows in its side elevation facing the appeal site it is set a reasonable distance from the shared boundary. Furthermore, proposed house 1 would also be set off the shared boundary and there are a number of trees and shrubs between them. Thus I find the occupants of proposed house 1 would not be able to look into the windows or down into the private outdoor space of the neighbouring property to the north.
11. Thus, there would be no harm to the living conditions of the occupants of the neighbouring property to the north with particular regard to privacy. In this regard the proposal accords with the aims of Policy DM15 of the SADMP and paragraphs 56 to 58 of the Framework which taken together, seek to safeguard the amenities of nearby residents and achieve good design.

Other Matters

12. I note that four new homes would be provided in a location where services and employment can be accessed by public transport. I also note new residents would provide customers and employees to the benefit of the local economy, there would be economic benefits associated with construction, the homes would be suited to homeworking and I acknowledge the national need for more homes in rural areas¹.

¹ Fixing our broken housing market, DCLG February 2017; Broken Market, Broken Dreams, the National Housing Federation, 2014; Towards a One Nation Economy: A Ten Point Plan for Boosting Productivity in Rural Areas 2015

13. However, even though I find the evidence on whether the Council can demonstrate a five year housing land supply to be inconclusive the council does not object to the principle of the development in this location. Furthermore in contrast with the Inspector's findings in the Great Leighs² appeal decision I have found significant harm to the character and appearance of the area. Whilst four new dwellings would make a minor contribution to meeting any housing shortfall even with the tilted balance engaged, the social and economic benefits are significantly and demonstrably outweighed by the environmental harm I have identified.
14. I note that the planning application was refused contrary to the Officers Recommendation. However, the relevant committee is entitled to reach its own view and I have determined the appeal on its planning merits.
15. I have also noted the willingness to make contributions towards affordable housing and habitat monitoring and mitigation. However, even if I were to find these contributions are required, they would not outweigh the harm I have identified and as I am dismissing the appeal for other reasons I have not addressed them any further.

Conclusion

16. For the reasons given above, having had regard to all other matters raised, I conclude that the proposal would not accord with the development plan or the Framework and thus the appeal should be dismissed.

L Fleming

INSPECTOR

² Appeal Reference APP/W1525/W/15/3121603