



Appeal Decision

Site visit made on 23 July 2019

by P Mileham BA (Hons) MA MRTPI

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

Decision date: 14 August 2019

Appeal Ref: APP/V2635/W/19/3227184

Shaveley, 47 Gaultree Square, Emneth, Wisbech PE14 8DA

- 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 K Curson against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 18/00669/F, dated 11 April 2018, was refused by notice dated 13 December 2018.
 - The development proposed is described as a proposed bungalow with additional access point to the host property.
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Decision

1. The appeal is dismissed.

Procedural matters

2. Amended plans were received during the original determination of the proposal by the Council which show an amended site access point (a single point instead of two separate accesses). It is on the basis of this amended plan that I have considered this appeal.

Main Issues

3. The main issues in this appeal are:
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed development on the living conditions of neighbouring occupiers with specific regard to the loss of light; and
 - The impact of the proposal on highway safety.

Reasons

The effect on the character and appearance of the area

4. The appeal site comprises the garden of No.47 Gaultree Square which currently includes the garage of the host property. Adjoining the site are single storey dwellings to the north, with the surrounding area characterised by a mix of two-story dwellings opposite the site and a commercial building. These are well-screened from Gaultree Square by mature hedging and trees. To the south

of the site is the rear of Central Hall, which is a long rectangular building of broadly single storey height with a corrugated roof.

5. The adjoining plots to the appeal site are well-proportioned allowing a degree of separation space between the dwellings in this part of Gaultree Square. The properties broadly follow an established building line, as does the rear of the adjoining hall building.
6. The siting of the proposed new dwelling would remove the space between No.47 and the adjoining hall. This would have the effect of intensifying the density of the development in this part of the street. The dwelling would appear cramped on its plot filling almost the entire width of the site. The proposed development's frontage gable does not allow for a front entrance to the property which is located to the side (north elevation), which is out of character with the surrounding properties. The design of the proposal would not therefore relate well to the surrounding area.
7. The site's cramped appearance with extremely limited separation from adjoining development results in significant harm to the character and appearance of the area. As such the proposal would be contrary to Policy CS08 and DM15 of the Site Allocations and Development Management Policies Plan (2016) which amongst other aims seek to ensure that development in the Borough is of a high-quality design. and that proposals respond sensitively and sympathetically to the local setting and pattern.
8. Paragraph 130 of the National Planning Policy Framework ('the Framework') indicates that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area. The proposal does not accord with the Framework in this regard.

The effect of the proposed development on the living conditions of neighbouring occupiers

9. The proposed dwelling would be located immediately south of host property which is separated from the site by a circa 1.8m close boarded fence. The fence itself is in close proximity to the south wall of No.47 and separated only by a narrow pathway that leads to the rear garden. A single window can be found in the south elevation of No.47. At the time of my visit, despite the proximity of the fence, light was able to reach the full extent of the window.
10. The proposed development shows a dual pitch roof in contrast to the hipped roof of the host property. During winter when sun is lower, the effect of the appeal proposal would result in significant loss of light into the south-facing window of No.47 which will be reduced due to the proximity of the appeal dwelling and its roofline. The room served by this window would be impacted, and this is the only window on this elevation of No.47, I consider that the development would result in significant loss of light into the room. This would adversely affect the living conditions of the current or future occupiers of the property.
11. In light of the harm I have identified due to the loss of light to No.47, the proposal is contrary to Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) which amongst other things states that development must protect and enhance the amenity of the wider environment,

and that development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

The impact on highway safety

12. Gaultree square is a relatively narrow highway, which appears to be lightly trafficked. The section of road that leads through to the appeal site from the north is capable of allowing two cars to pass. I consider that whilst visibility is generally acceptable in both directions if exiting the site in forward gear, there is a low wall of approximately 1 metre along the boundary of the site and the adjoining hall which slightly reduces views to the south. Due to the form of development proposed and the likelihood of the parking spaces for No.47 being occupied, it would not be possible turn cars around in the driveway resulting in either some awkward manoeuvres being likely such as reversing within the highway or reversing on to the highway.
13. The appellant had amended the scheme to provide a single point of access for the proposed dwelling and No.47. It is recognised that the relocation and creation of a single access is of benefit than having two separate accesses. As such, the result of this is that there would be no additional access points created than would otherwise exist if the subdivision were not proposed. Whilst I consider that the intensification of the site would still result in some further manoeuvres taking place in the highway, I do not consider these to be harmful having regard to the overall level of traffic in the area.
14. My attention has been drawn to a scheme at 25 Gaultree Square which was approved with below standard visibility splays. Whilst I do not have the full details of that approval before me, the extract indicates that some betterment to parking arrangements would be secured. However, as I do not consider that there would be harm to highway safety as a result of the proposed development this has not altered my conclusion on this issue.

Conclusion

15. Having regard to the harm I have identified to the character and appearance of the area and to the living conditions of neighbouring occupiers, I conclude that the appeal should be dismissed.

P Mileham

Inspector