
Appeal Decision

Site visit made on 17 February 2020

by Edwin Maund BA (Hons) MSc Dip UP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th April 2020

Appeal Ref: APP/V2635/W/19/3234595

150 Main Street, Hockwold Cum Wilton IP26 4NA

- 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 Hibble against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 19/00547/F, dated 22 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is the erection of a single storey dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Hibble against King's Lynn and West Norfolk Borough Council. This application is the subject of a separate Decision.

Preliminary Issue

3. The Council initially assessed the application as affecting the setting of the Hockwold Cum Wilton Conservation Area (HWCA). I sought the views of both parties as to whether this was correct as it appeared on initial assessment, the site straddles the boundary being partly within and partly without. The Council confirmed this was the case.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area and whether the site is a suitable site for housing having regard to local and national planning policy.

Reasons

Character and Appearance

5. The appeal site forms part of the rear garden of No 150 Main Street; a detached property with an extensive plot. It is located behind a line of four properties on the south side of Main Street at the eastern end of the settlement of Hockwold Cum Wilton. This ribbon of development marks the end of the settlement and is a clear transition to the countryside, with fields beyond to the south, east and north.

6. Whilst the existing properties vary in their size and design, there is a consistency in that they are located within large plots which follow an established building line fronting onto Main Street, creating a strong linear pattern of development. Being set well back from the street frontage and well apart gives a sense of spaciousness.
7. The pattern of development in this part of the settlement is therefore of frontage development in a linear form, with space in and around it, and this contributes positively to this edge of countryside location and the transition between urban and rural.
8. The appeal site sits behind the existing properties on Main Street, as a consequence the proposal would introduce a dwelling within a backland area between the Main Street properties and the fields beyond. This would be a marked contrast with the existing pattern of development.
9. With the high coniferous hedges to the east and part of the southern boundary and a series of outbuildings associated with the current dwelling the appeal site is quite distinct from the frontage development in the area, with a lack of street frontage and being screened from the public realm. The proposed development would therefore be out of character and as a consequence would appear incongruous with the form of the existing development.
10. The appeal site is accessed from within the HWCA and the north-west corner of the site straddles the boundary. The alterations to the access to adjust the vision plays would preserve the character and appearance of the HWCA.
11. Despite this I find that the proposal represents an unacceptable form of backland development that fails to respect the existing pattern of development, as such it would harm the character and appearance of the area in conflict with policy DM15 of the Development Management Policies Plan (DPP) (2016) which amongst other things seeks to ensure new development should respond sensitively and sympathetically with the local setting and pattern of streets.

Suitable Location

12. Hockwold Cum Wilton is defined as a Key Rural Service Centre within the Core Strategy (CS) (2011) and as such has a development boundary. The policies indicate that the Key Rural Service Centres will provide for a range of services to meet day to day needs and will facilitate local scale development including new housing.
13. Although the access to the site is within the development boundary the site sits beyond this where the policies in respect of development in the countryside apply.
14. Whilst I accept that the site has the appearance of a domestic garden being formed of managed lawns enclosed by domestic outbuildings and large domestic hedgerows, nevertheless in policy terms the site is beyond the settlement boundary and the DPP is clear in this respect.
15. In such locations the appeal falls to be considered against the policies for the countryside as the site lies outside the development boundary for Hockwold Cum Wilton as defined in the development plan. Within such areas, as set out in Policy DM2 'development will be limited to that identified as suitable in rural

areas' which goes on to list a series of examples. This proposal does not meet any of these.

16. I therefore conclude the development is not a suitable location as it would conflict with the Council's strategy for delivering housing as envisaged in Policies DM2 and DM15 of the DPP and Policies CS02, CS06, CS08 of the CS.

Other Matters

17. A Unilateral Undertaking has been submitted by the appellant by way of offering a sum of money towards an ecological monitoring and mitigation strategy. This has not been an issue between the parties and I therefore have given this no weight in coming to my decision.
18. The appellant has referred to several other examples of backland development elsewhere in the settlement. I was able to appreciate their relationship to the settlement and the immediate local context in which they are located during my site visit.
19. The number of examples cited demonstrates that backland development has occurred, but none of them were at the eastern edge of the village like the appeal site. Nor is it clear whether any of them at the time they were determined were outside the defined development boundary as in this case. I do not therefore regard these as setting a precedent for supporting the appeal proposal.
20. The appellant has also questioned if a five year supply of housing is in place, the Council have confirmed this to be the case and I have no evidence to the contrary as such I can give this argument little weight in coming to my conclusion. If allowed the scheme would add to the supply of homes within the district, but as a single dwelling this contribution is modest and I do not consider the evidence presented would justify the proposal based on the policies for rural areas as set out in the CS and DPP.
21. Other issues covering contaminated land, highway safety, and a contribution for CIL have been referred to but are neutral in effect and do not outweigh the harm that I have identified with the main issues.

Conclusions

22. For the reasons I have set out above, having considered all matters raised, I conclude the appeal does not succeed.

Edwin Maund

INSPECTOR