
Appeal Decision

Site visit made on 16 June 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2020

Appeal Ref: APP/V2635/W/19/3236318

129A Main Street, Hockwold cum Wilton, Norfolk IP26 4LX

- 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 J Mayes against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 19/00534/F, dated 18 March 2019, was refused by notice dated 5 July 2019.
 - The development proposed is retention of static caravan.
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Decision

1. The appeal is allowed and planning permission is granted for a static caravan at 129A Main Street, Hockwold cum Wilton, Norfolk IP26 4LX in accordance with the terms of the application, Ref 19/00534/F, dated 18 March 2019, subject to the following conditions:
 - 1) The development hereby permitted shall accord with the following approved plans: site and location plan, plans, elevations and section of the static caravan prepared by Richard C F Waite Architects.
 - 2) The static caravan hereby approved shall be occupied solely as residential accommodation ancillary to 129A Main Street, Hockwold cum Wilton, Norfolk IP26 4LX and shall not be sold, let or otherwise disposed of separately.

Background and Main Issue

2. The appeal relates to the retention of a static caravan in use as self-contained residential accommodation. It is sited within curtilage space at the rear of the dwelling at No 129A and is occupied by a family member of that household. This dwelling forms the end of a short terrace of four small houses. These houses are located within the main built-up part of the village of Hockwold and front directly onto the public footway running alongside its Main Street.
3. The appeal site is served by the single-vehicle width private access which runs off Main Street along the side of No 129A to the rear of the terrace. This appears to be a joint access that serves the car parking and garaging for all four dwellings. It provides the access to the static caravan for which permission is sought, as well as another sited within the rear curtilage area that is also occupied by a family member. Although the static caravan subject of this appeal has been in situ for a significant period, arrangements were previously made with the Council to transfer its lawful status to the other, more recent pitch.

4. The junction of the private access onto Main Street is situated between No 129A and the next house, which also fronts directly onto the public footway. The position of the access between these two buildings limits highway visibility at the junction in both directions. The application was refused planning permission for the single reason that inadequate visibility splays are provided at the junction of the access serving the proposal with Main Street, causing danger and inconvenience to users of the public highway. On this basis, the main issue in the appeal is the effects of the proposal on highway safety.

Reasons

5. The adjacent section of Main Street is of two-way width, with street lighting and footways either side, and is subject to a 30mph speed restriction. The highway here is of straight alignment and at the time of my visit, vehicles were making use of the unrestricted on-street parking alongside this terrace of houses. The level of visibility at the site access falls significantly below that recommended for a single dwelling in the Government guidance *Manual for Streets*¹(MfS). However, this is not an unusual occurrence in long-established settlements such as Hockwold, where the scope for providing full standard access arrangements is often restricted by the historic building pattern that exists.
6. The relevant development plan policies are those of the Council's Core Strategy² (CS) and Site Allocations and Development Management Policies Plan³ (DM). In dealing with transport issues in new development, Policy CS11 seeks the provision for safe and convenient access for all modes. Policy DM15 requires that development proposals demonstrate that safe access can be provided. Paragraph 108 of the National Planning Policy Framework (the Framework) requires development applications ensure safe and suitable access to the site can be achieved for all users. Paragraph 109 then advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.
7. The introduction of the mirror on the opposite side of the road is not suitable mitigation for substandard sight lines. However, discounting this, the junction does allow a degree of visibility onto Main Street, slightly greater in the critical onward traffic direction. The use of this shared drive by occupiers of a static caravan, amounting to a further single dwelling, might be expected to generate in the region of an additional six vehicular movements per a day⁴. This is a relatively small amount of additional motorised traffic on top of that generated by the four terraced houses and a single lawful caravan.
8. Whilst not achieving the visibility splays sought under MfS, this existing access is adequate to safely accommodate the small amount of additional use resulting from the static caravan, without this having an unacceptable impact on the safety of pedestrians, motorists and other users of the adjacent highway. In relation to the additional vehicular movements generated by the caravan to and from the public highway, I am satisfied that safe and suitable vehicular access is achieved and that the proposal does not have an

¹ Manual for Streets DfT et al 2007

² King's Lynn and West Norfolk Borough Council Local Development Framework – Core Strategy Adopted July 2011

³ King's Lynn and West Norfolk Borough Council Site Allocations and Development Management Policies Plan Adopted September 2016

⁴ Based on the national TRICS (Trip Rate Information Computer System) database

unacceptable impact on highway safety. Therefore, I find no material degree of conflict with Policy CS11, Policy DM15 or the Framework in this respect.

Other Matters

9. I have had regard to the Parish Council's concerns over this static caravan having been put in place without permission, not being in keeping with the central village location and potentially setting a precedent for further self-contained homes in gardens. The retrospective nature of the application should not weigh negatively in my assessment, which is based on the planning merits of the case irrespective of this. The Council has the authority to assess any similar such applications on their own merits, and I find no significant harm through this proposal establishing a precedent. In this instance, the Council's decision did not include a reason relating the adverse effect on the character and appearance of the area. Given the static caravan is not visible in the street scene, I find no reason to conclude any differently.

Conclusion

10. I have considered the condition suggested by the Council and concur it is necessary to establish the ancillary nature of the static caravan to No 129A, given its position to the rear of this house and its lack of private garden space. Subject to a further condition that for certainty establishes the approved plans, I conclude that the appeal is allowed.

Jonathan Price

INSPECTOR