



Appeal Decision

Site Visit made on 1 June 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2021

Appeal Ref: APP/V2635/W/21/3266885

15 Feltwell Road, Methwold Hythe, IP26 4QJ

- 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 Jason Davies against the decision of the Borough Council of King's Lynn and West Norfolk.
 - The application Ref 20/01277/F, dated 24 August 2020, was refused by notice dated 16 December 2020.
 - The development proposed is the construction of one dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located within the Impact Risk Zone for the Breckland Forest SSSI. Whilst there is no reason for refusal in relation to this matter, the proposed development falls within the description at 10 (b) of Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). As such, given that no screening response was provided by the Council, the Secretary of State has considered this application under the EIA Regulations and on 21 May 2021 concluded that the development is not Environmental Impact Assessment development. Therefore, this issue has no further bearing on my assessment of this appeal.

Main Issue

3. The effect of the proposed development upon the character and appearance of the appeal site and the surrounding area

Reasons

4. The appeal site comprises part of the existing garden and driveway of 15 Feltwell Road (No 15). To the south of the appeal site, the neighbouring dwellings, including No 15, are predominantly two-storey semi-detached dwellings. The layout of these dwellings is relatively consistent, as are the separation distances between each pair of dwellings. To the north of the appeal site, the neighbouring dwellings are predominantly single storey detached dwellings, which are set back further from the street, with larger front gardens. Again, these dwellings are spaced fairly evenly.
5. The appeal site currently provides separation between No 15 and No 9 Feltwell Road, which is a detached single storey property. The appeal site is particularly narrow at the front, widening further to the rear. The proposed dwelling would be set back in the plot behind the existing front building line of No 15 and

would be orientated at an angle, such that it would not be parallel with the highway, nor the front building line of the adjacent neighbouring dwellings. The layout of the development would therefore be at odds with the existing more uniform layout of development on this side of Feltwell Road.

6. I accept that the appellant has sought to overcome the constrained width at the front of the plot, through the siting of the dwelling further to the rear. However, I consider that this would result in a development which would jar with the existing character of development on this side of Feltwell Road.
7. The proposed development also comprises a shared vehicular access with No 15 and shared parking to the rear. This area of shared parking would be prominent when viewed from Feltwell Road, particularly given that the topography of the site slopes upwards to the rear. I accept that there are examples of parking in the surrounding area which are sited in prominent locations. However, in this case, the combination of the proposed parking arrangement and the layout of the dwelling within a relatively small plot, would result in a cramped appearance which would harm the more spacious character of development on this side of Feltwell Road.
8. The proposed development would therefore be contrary to policies DM3 and DM15 of the Site Allocations and Development Management Policies Plan (2016) and policies CS06 and CS08 of the Local Development Framework Core Strategy (Core Strategy), which seek in part to ensure that development is in keeping with local character. Core Strategy Policy CS02 is also referred to in the Council's reason for refusal. This policy identifies Methwold Hythe as a 'smaller village'. There would be a conflict with this policy insofar as it prescribes that development in smaller villages will only be permitted where it accords with Core Strategy CS06.
9. The appellant has outlined that the design of the proposed dwelling would be of a high quality which would accord with the design principles of the National Planning Policy Framework (the Framework). However, I consider that the proposed development would be contrary to Framework paragraphs 127 and 130, which in part require that development is sympathetic to local character. Any other individual design merits of the development do not outweigh this harm.

Other Considerations

10. The appellants have stated that the Parish Council did not object to the proposed development. However, even if this is the case, this does not have any bearing on the harm which I have identified.
11. I note that various amendments were made to the design of the proposed development prior to the determination of the planning application. I also note the comments made by both parties with regard to communication between the Council and the applicant during the application process. However, I have assessed the appeal on its merits and impacts, as is my remit. Any procedural difficulties between the main parties that may have occurred are not material considerations in my determination, let alone factors which would necessarily outweigh my findings.

12. The appellant has suggested that the Planning Officer's report is misleading. However, none of the examples cited relate to the main issue of character and appearance and as such these factors have not affected my conclusions.
13. The appellant has outlined that the appeal site is currently underutilised and that the garden is disproportionate to the dwelling at No 15. Again, even if I were to accept this assertion, it would not be sufficient to outweigh the harm which I have identified. The appellant has cited various perceived benefits of the proposed development, such as: the use of renewable energy technology; the contribution to settlement vitality; and increasing the local housing stock, through provision of one additional dwelling. However, these points, even taken together, do not affect my conclusions.

Conclusion

14. The proposed development would be harmful to the character and appearance of the appeal site and surrounding area. Neither the benefits of the proposed development, nor any other matters raised, would outweigh this harm. I therefore conclude that the appeal should be dismissed.

Luke Simpson

INSPECTOR