



Appeal Decision

Site visit made on 12 January 2022

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 1st February 2022

Appeal Ref: APP/F2605/W/21/3276714

Newtgate, Swanton Morley Road, Worthing, Hoe NR20 5HS

- 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 Teresa Lotis against the decision of Breckland Council.
 - The application Ref 3PL/2021/0176/F, dated 3 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is to holiday let a static caravan.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of neighbouring dwellings with regard to noise and disturbance.

Reasons

Character and appearance

3. The site lies on a rural lane with residential development on one side and parkland on the other. Dwellings within the row generally lie within well sized plots which have a spacious and verdant appearance which contributes positively to the rural character and appearance of the area.
4. The appeal relates to an existing static caravan which is sited in the front garden of the host dwelling. The caravan is prominent within views from the lane when approaching from the west due to its location in the front corner of the garden.
5. The proposed use of the caravan for holiday lets would be likely to entail the use of leisure equipment such as tables and chairs, barbecues and outdoor games. Such items would necessarily be sited within the host property's front garden around the caravan, and would consequently be highly visible from the highway. The resulting cluttered appearance would be incongruous within the street scene, with associated harm to the appearance of the area.
6. Thus, the proposal would cause unacceptable harm to the character and appearance of the area. It consequently conflicts with Policy COM01 of the

Breckland Local Plan (2019) (the BLP), which states that new development must contribute to the distinctive character of the local area. Further conflict exists with Policy GEN 02 of the BLP, which requires development to respect the character of the surrounding area. Additional conflict exists with Policy EC07 of the BLP, which sets out that smaller development proposals involving new tourism related development should be of a suitable scale and type to protect the character of the landscape within which they are situated. Further conflict exists with the natural environment provisions of the National Planning Policy Framework (2021).

Living conditions

7. The limited surrounding residential development and countryside setting of the appeal site result in a tranquil rural character. The proposed holiday let use of the caravan is likely to result in associated activities such as barbecues, games and music. The resulting regular noise and disturbance would be particularly noticeable given the tranquil surroundings. Furthermore, such activities could potentially occur late into the evening, which is a time when neighbouring occupiers are more likely to expect a level of tranquillity. The proposed use would consequently generate greater noise and disturbance levels than are currently experienced by the occupiers of neighbouring dwellings, on a regular basis.
8. As a result, the proposal would unacceptably harm the living conditions of the occupiers of neighbouring dwellings with regard to noise and disturbance. This harm would be limited due to the proposal's small scale. Nevertheless, it results in conflict with Policy COM 03 of the BLP, which states that development which causes unacceptable effects on the residential amenity of neighbouring occupants will not be permitted, having regard to considerations including noise.

Other Matters

9. I acknowledge the stated personal benefits of the scheme, and I am sympathetic to these. Nevertheless, planning in general is concerned with land use in the public interest. It is probable that the development would remain long after the current personal circumstances cease to be material. For these reasons, this factor is a benefit to which I can attach only minimal weight.
10. I have had regard to other matters raised, including concerns about drainage. However, as I am dismissing the appeal on the main issues for the reasons given above, I have not pursued these matters further.

Planning Balance

11. The scheme would result in a modest economic benefit due to the support of local services and facilities by holidaymakers.
12. Conversely, it would cause unacceptable harm to the character and appearance of the area and to the living conditions of neighbouring occupiers. These matters attract significant weight and outweigh the benefits associated with the proposed development.
13. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict.

Conclusion

14. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR