



Appeal Decision

Site visit made on 9 August 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2022

Appeal Ref: APP/V2635/W/22/3292189

Rivendale, Watlington Road, Runcton Holme, Norfolk, PE33 0EJ

- 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 H Brothers against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 21/00819/F, dated 27 April 2021, was refused by notice dated 18 January 2022.
 - The development proposed is the conversion of a barn to a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed conversion on the living conditions of the occupiers of No 78 Watlington Road by way of light and outlook.

Reasons

3. The appeal site lies to the south of No 78 Watlington Road. The site is currently occupied by a barn structure, set well back from the road and in a relatively poor state of repair. The rest of the site appears to be overgrown. The barn is aligned east-west on the site and has a main gable-ended element, with a single-storey, mono-pitch roof extension to the north side. It is approximately 4 metres away from the boundary with No 78.
4. The proposed development would involve the conversion of the main body of the existing building for residential purposes; the construction of a two-storey, pitched-roof extension to the north at its western end; a flat-roofed, two-storey extension along most of the rest of the northern side of the building; a single-storey, pitched-roof extension to the western end, to accommodate an entrance lobby, office, garage and cart-shed parking; and other alterations. The overall height of the main body of the building would be increased by approximately 0.5 metres, and the extensions would bring it closer to the boundary with No 78 by around 1.5 – 2 metres.
5. Policy CS08 of the Council's Core Strategy (CS) indicates that new development should be of a high quality design and respond to the context and character of places. Policy DM15 of the Council's Site Allocations and Development Management Policies Plan (DMP) indicates that development proposals will be assessed against their impact on neighbouring uses and their

occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including outlook and impact on light.

6. The Council contends that the proposed dwelling would cause overshadowing and result in an overbearing impact on the neighbouring property directly to the north (No 78), by virtue of its close proximity to the shared boundary together with its scale, depth and height. As a result, the proposed development would adversely impact on neighbour amenity.
7. The appellant contends that he has sought to create a barn conversion to reflect a more architectural pleasing development that will add to the street scene and raise the standards of design for the site. Furthermore, the "small" level of additional overshadowing and the relationship of the northern elevation to the adjacent property has been given unjustified weight against the positives of the proposal.
8. From the information before me, it would appear that the appeal building already benefits from a planning permission for its conversion to a dwelling (LPA reference 19/01225/F). The conversion under this extant permission would retain the basis of the structure and character of the existing barn, including limited window openings to maintain its agricultural nature. There would not be extensions to the building, though it appears that there would be a separate garage structure sited nearer to the front boundary of the site.
9. The current proposal would involve significant two-storey extensions to the northern side of the existing building, part with pitched roof and part with flat roof. These would bring the enlarged building much closer to the boundary with No 78, and result in a two-storey element, some 19 metres in length, extending virtually the full length of the rear garden of that neighbouring dwelling. I note that there would be no windows in this northern elevation that would directly overlook the rear elevation and garden area of No 78. Nevertheless, it would appear as a prominent and overbearing feature, in close proximity to the dwelling and its private amenity space, and occupying almost the whole of the southerly outlook from the rear of the adjacent property.
10. The appellant has provided a set of shadowing drawings for the existing and proposed buildings relating to summer, autumn and winter. There is agreement that the proposed building, being sited to the south of No 78, would have some overshadowing effect on the adjacent property. Whilst this, in itself, may be limited, nevertheless, when added to the harmful impact of the proposed extensions on the outlook from No 78, I consider that the overall effect of the proposal would be significantly harmful to the living conditions of the occupiers of No 78 by way of a combination of both light and outlook.

Other Matter

11. The appellant contends that any overshadowing issues would be outweighed by benefits to the street scene by way of a new building, and that the northerly extensions would help to screen views of commercial buildings that lie to the rear of No 78. However, I find that the scale and nature of the proposed conversion would effectively overwhelm the current, less strident rural context of the barn which, to some extent, supports the largely open agricultural character of the area between Watlington to the north and Runcton Holme to the south. Moreover, the commercial buildings to the rear of No 78 appear as

low-rise and are not readily visible in the street scene, whilst the overall scale and height of the proposed extensions to the barn would substantially block the open views over the countryside beyond, which are currently an important visual characteristic of the site in its context along the road frontage.

Conclusion

12. I find that the proposed development would be significantly harmful to the living conditions of the occupiers of the neighbouring No 78 Watlington Street by way of light and outlook. Moreover, I do not consider that the modern design of the proposed extensions/alterations to the existing barn would outweigh that harm, and could indeed, by virtue of its scale, position and visual impact on the surrounding area, be said to add to it. Furthermore, I have taken into account the fall-back position of an extant planning permission for a conversion that would appear to be sympathetic to the context and character of the existing barn building and the surrounding area.
13. On the basis of the above, I conclude that the proposal would conflict with Policy CS08 of the CS and Policy DM15 of the DMP, and I dismiss this appeal.

J D Westbrook

INSPECTOR