



Appeal Decision

Site visit made on 18 April 2023

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 12th May 2023

Appeal Ref: APP/V2635/W/22/3309628

8 School Road, Heacham, Norfolk PE31 7DE

- 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 S Keene against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 22/00725/F, dated 22 April 2022, was refused by notice dated 12 September 2022.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would result in acceptable living conditions for future occupants with regard to amenity space provision.

Reasons

Character and appearance

3. The appeal site comprises the rear garden area of 8 School Road. No 8 is a detached bungalow located on the corner of School Road and Kenwood Road. The principal elevation of No 8 faces School Road. The side boundary of the rear garden runs adjacent to and has frontage onto Kenwood Road. The appeal site is bound by a close boarded fence and metal gates along Kenwood Road where the existing vehicular access to the appeal site is also located.
4. Bungalows located along the southern side of Kenwood Road and along the eastern side of School Road in the vicinity of the appeal site are all formed of similar rear garden depths and a consistent setback from the road that the principal elevation faces. This pattern of development delivers a regular rhythm to the character and appearance of built form and provides for a spacious character.
5. The proposal would result in both the proposed bungalow and No 8 having more limited plot sizes contrary to the spacious nature of the plots within the immediate vicinity of the appeal site. The proposed width and depth of the bungalow along with its siting would result in a cramped pattern of

- development which would appear incongruous to the prevailing character of the area.
6. Whilst the front building line of the proposal would reflect the line of the side elevation of No 8 along Kenwood Road, the principal elevation would be sited in very close proximity to the back edge of the footpath which would result in a shallow front garden. This would be at odds with the consistent front building line that is present along the southern side of Kenwood Road, where properties have deeper front gardens. The proposal would therefore result in a dominant addition to the street scene that would be harmful to the character and appearance of the area.
 7. I have had regard to the examples in the area cited by the appellant, and I visited those in public view, including the built form opposite the appeal site on the northern side of Kenwood Road. I agree that there are varied patterns of development within the wider area. However, the appeal site comprises a bungalow that sits at the end of two consistent rows of bungalows along School Road and Kenwood Road. The character of the area from the southern side of Kenwood Road to the south can be visually appreciated as being of a lower density of built form than the area to the north of the appeal site and the area further east along Kenwood Road. The examples provided are therefore not directly comparable to the appeal site. In any event, I am mindful that each case must be assessed on its own merits.
 8. I note that the proposed design of the bungalow would be in keeping with the scale and design of other properties within the area. I also acknowledge that the location of the driveways would provide separation between the proposal and No 8 which would provide some limited relief in built form. However, these considerations do not outweigh the harm I have identified above.
 9. I find that the proposal would be harmful to the character and appearance of the area and would therefore be contrary to Policies 1 and 5 of the Heacham Parish Neighbourhood Plan 2017-2036 Made (Adopted) Version June 2022 (NP), Policy CS08 of the King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy Adopted July 2011 (CS) and Policy DM15 of the Site Allocations and Development Management Policies Plan Adopted September 2016 (SADMP). These policies seek, amongst other things, to ensure new development responds to the context and character of the immediate area by ensuring that the scale, density and layout are sympathetic to the local setting. The proposal would also be contrary to the relevant paragraphs of The National Planning Policy Framework (the Framework).

Future occupants

10. There is limited evidence before me as to why the Council consider that the amount of amenity space provided for the proposed dwelling would be deficient. I am not aware of any guidelines adopted by the Council with regard to the quantitative requirements for garden space. Whilst the proposed garden area would be smaller than those located in the immediate vicinity, it would be a usable external space that would not be overshadowed by other buildings and the area to the rear and side would be private and not subject to overlooking. Therefore, aside from the effect on the character and appearance of the area discussed above, I consider that in isolation sufficient external space would be provided to serve the future occupants of the proposed dwelling.

11. I therefore find that the proposal would result in an acceptable provision of amenity space for future occupiers and would therefore comply with Policy 5 of the NP and Policy DM15 of the SADMP in this regard. These policies seek, amongst other things, to ensure the provision of sufficient external space with new dwellings having gardens commensurate with the intended occupancy and to ensure the amenity of future occupiers. The proposal would comply with the relevant paragraphs of the Framework.

Other Matters

12. I recognise that there is support in the development plan and the Framework for the optimisation of land. However, this does not negate the requirements for new homes to be designed to respond to the context of the surrounding area.

Conclusion

13. The proposal would conflict with the development plan as a whole and there are no material considerations to indicate that this appeal should be determined other than in accordance with it. The appeal is therefore dismissed.

G Dring

INSPECTOR