



Appeal Decision

Site visit made on 11 July 2023

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th September 2023

Appeal Ref: APP/V2635/W/22/3309232

Land to the East of Myamber, Field Lane, Wretton, Stoke Ferry PE33 9QZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr McCurry against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 22/00147/O, dated 20 January 2022, was refused by notice dated 19 April 2022.
 - The development is described as "up to 4 proposed dwellings".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline form, with all matters other than access reserved for future consideration. As matters relating to landscaping, layout, scale and appearance have been reserved for future consideration, the submitted plans can only be taken as being indicative at this stage, other than where they relate to access.

Main Issues

3. The main issues are:
 - whether the proposal would be consistent with the local development strategy relating to the location of new housing development, and;
 - the effect of the proposal upon highway safety.

Reasons

Location of housing development

4. It is agreed between the parties that the settlement of Wretton is a "Small Village or Hamlet" for the purposes of Policy DM3 of the King's Lynn Site Allocations and Development Management Policies Plan (SADMPP). It is also agreed that the appeal site lies outside of any designated settlement boundary. KLCS Policy CS06 sets out that the development strategy is to protect the countryside for, amongst other reasons, its intrinsic character and beauty. SADMP Policy DM3 sets out a limited range of developments that will be acceptable within smaller villages and hamlets, including new housing where it involves sensitive infilling of small gaps within an otherwise continuously built-up frontage.

5. The character of Wretton is such that it comprises a broadly linear settlement focused around a central road that forks into two routes towards the northern extent of the village. The eastern fork incorporates bend at a point near Myamber and a farm on the opposite side of the road.
6. The appeal site is located to the east of Myamber, and currently contains several sheds, which I understand to be bird breeding lofts, with the remainder of the site forming open paddock enclosed by stock fencing. The farm is surrounded by a large field for much of its perimeter.
7. Myamber and the farm on the opposite side of the road form a clear limit to the core of Wretton. The arable farmland adjacent to the farm affords a wide and open vista across flat open countryside towards the north and east. Across the road, the existing sheds within the appeal site are of a much smaller scale to the dwelling to the west, and are set-back from the road. They are also subject to a small degree of separation from this property. Accordingly, they appear as agricultural buildings within an open space, as opposed to the extension of the built-up area.
8. Beyond these sheds, the existing paddock forms a clear and defined break, between the sheds and development to the west and a pair of semi-detached cottages to the east. Further houses are located to the north, but overall, the pattern of development beyond the appeal site to the east and north of the appeal site is separated and sporadic, rather than continuous.
9. Accordingly, the appeal site does not form a small gap, nor is it located within an otherwise continuous built-up frontage. Whilst the proposal would have some association with the core of the settlement, it would not fill a gap within it, but rather, extend the settlement to the east, into open countryside, and together with the existing houses to the east of the appeal site, would result in a ribbon form of development occurring on the southern side of the road.
10. The proposal would be a modest development of four dwellings, and the size of the site is such that even though matters relating to landscaping, scale, appearance and layout are reserved for future consideration, I acknowledge that it is possible that a development of a layout and design could be achieved that would reflect other development within the local area and could retain some views across open countryside. However, the extension of the settlement would nevertheless be harmful to the intrinsic character and beauty of the countryside.
11. Accordingly, the proposal would not be consistent with local plan policies with relation to the location of new housing development. It would therefore be contrary to KLCS Policy CS06 and SADMPP Policy DM3 which together, and amongst other matters, state that within the countryside, that the development strategy will be to protect the countryside for its intrinsic character and beauty, and that housing development within smaller villages and hamlets will only be supported where it comprises the sensitive infilling of small gaps within an otherwise continuous built-up frontage.
12. In refusing permission, the Council also referred to KLCS Policy CS08. However, my attention has not been drawn to any words in this policy that are relevant to this issue. This policy has therefore not been determinative in this main issue.

Highway Safety

13. The area surrounding the appeal site is rural in character and the road network in the local area is characterised by narrow country lanes. Although there are points at which vehicles travelling in opposing directions can pass, these points are often informal, un-signposted and in some cases require vehicles to mount the verge. If vehicles meet in a location where passing is not possible, reversing to a more suitable passing location is currently required.
14. Although the existing operation of the highway network is inconvenient for users, I am not persuaded that it is inherently dangerous. However, the appeal proposal would nevertheless lead to an increase in the level of vehicular traffic entering and leaving the site, and on the local road network.
15. I accept that an increased level of traffic using the local road network would be likely to increase verge erosion, and that the nature of the roads in the local area mean that the network is likely to be sensitive to increased levels of traffic. This increase in vehicular traffic would also increase the likelihood of vehicle conflict on the network of narrow roads around the appeal site.
16. However, there is no evidence before me to indicate that levels of traffic on the local road network are high in comparison to its capacity, and although only a snapshot in time, at the time of my visit during the day, the level of traffic I saw was very low. Accordingly, I am not persuaded that the level of additional traffic likely to be generated by the proposal would be of a scale such that it would lead to unacceptable harm to highway safety in this respect.
17. The Local Highway Authority has requested that a passing place be provided as part of the development, and such a passing place is indicated on the provided amended plan, located to the east of the proposed access. This is not on the stretch of road between the appeal site and Wretton itself, where the LHA indicate that most traffic from the development would be likely to be headed.
18. However, based on my reasoning above, I consider that although the provision of such a passing place would represent an improvement to the road network, it would not be necessary in order to make the development acceptable.
19. The proposal would not lead to harm to highway safety. It would therefore be in accordance with KLCS Policies CS08 and CS11, as well as SADMP Policy DM17. Together, and amongst other matters, these policies require new development to provide safe and convenient access.
20. In refusing permission, the Council also referred to KLCS Policy CS08 and SADMP Policy DM17. However, my attention has not been drawn to any words in them that are relevant to this issue. These policies have therefore not been determinative in this main issue.

Planning Balance and Conclusion

21. The proposal would lead to the provision of four additional dwellings. Paragraph 60 of the Framework sets out the Government's objective of significantly boosting the supply of homes. Accordingly, the modest boost to the housing supply that the appeal proposal would provide is a factor which weighs in favour of the scheme, and to which I afford moderate weight.

22. The appeal proposal would also provide support to facilities and services with a rural area, as acknowledged by Paragraph 79 of the Framework, and would also provide an additional passing place on a local road which would aid the operation of the road network. These are further benefits of the scheme to which I afford modest weight.
23. It is not disputed between the main parties that the site is at a low risk of flooding, and that the proposal would not lead to overlooking, would use appropriate materials and would not affect a local public footpath. However, even if I were to agree, these would only be neutral factors of the scheme, and would not weigh in its favour.
24. Although I have found that the scheme would not lead to harm to highway safety, the proposal would not be consistent with the local development strategy relating to the location of new housing. It would conflict with the development plan, and I afford significant weight to this.
25. Although the appeal proposal would result in some benefits, these would not outweigh the harm and conflict with the development plan that I have identified.
26. Therefore, for the reasons given, the appeal is dismissed.

C Harding

INSPECTOR