



Appeal Decision

Site visit made on 20 February 2024

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2024

Appeal Ref: APP/V2635/W/23/3327896

Site North East of Seahorse Lodge, 24 Parkhill, Fairgreen, Middleton, King's Lynn PE32 1RJ

Easting (x) 565464 Northing (y) 316772

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Masters against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 23/00582/F.
 - The development proposed is detached dwelling, garage and landscape works incidental to the development.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. Consequently, this update to national policy does not fundamentally alter the main parties' cases or prejudice their position at appeal, and it is not necessary to seek further comments.
3. The proposed development has been screened in accordance with the Environmental Impact Assessment (EIA) Regulations 2017. It has been concluded that the development would not be of a scale and nature likely to result in a significant environmental impact and EIA is therefore not required.
4. The appeal site lies within the 'Zone of Influence' for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS). Natural England's advice indicates that certain types of new development in the ZoI are 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.
5. I understand that the GIRAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites in Norfolk and that a financial contribution would usually be sought. A copy of the 'Norfolk Recreation Avoidance Mitigation Strategy Contribution' proforma is before me indicating that this contribution has been paid by the appellant. As the competent authority, the onus would usually be

on me to carry out an Appropriate Assessment as part of this appeal, including consideration of the mitigation put forward. However, as I am dismissing the appeal, it has not been necessary to consider this matter any further.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. Parkhill is characterised by a mix of single storey and two-storey dwellings. The dwellings generally have a similar aesthetic, including distinctive asymmetrical roof forms. While there are a variety of plot sizes on Parkhill, properties mainly adjoin plots of comparable dimensions. No 24 Parkhill and its adjoining neighbour at No 25 Parkhill occupy wide plots and sit in a focal position within this part of the estate. The front and flank elevations of these dwellings are set back from the road with intervening gardens. They have open front boundaries, as do other properties within the estate. The factors described give a pleasant order, consistency and spaciousness to the street.
8. On my site visit, I saw that a post and rail fence, a hedgerow and a high close bordered fence occupy the appeal site's side boundary with the highway. As was anticipated by the Inspector that dealt with the previous appeal on the site¹, this has created a sense of enclosure to this side of the appeal site which is at odds with the open plan characteristics of the estate. Even so, the space between the flank elevation of No 24 and this boundary is appreciable when facing the front of the site and over the fence line in views towards the side of the site. This positively reflects the prevailing spacious characteristics of the estate.
9. However, the division of the plot would detract from the spacious arrangement of buildings and space across No 24 and its similar adjoining counterpart at No 25. More particularly, the narrower width of the plot and the position of the dwelling close to the side boundary with the highway would appear cramped and would sit uncomfortably within this group. I accept that the design and scale of the dwelling would reflect others on the estate. Even so, for the reasons given, it would unacceptably erode the spaciousness of the street scene on this prominent corner plot.
10. I accept that the density of plots within the estate is not uniform. However, the nearest properties of comparable width and density to the appeal proposal, at Nos 16 – 20 Parkhill, form a consistent row to that side of the street and are not comparable to the prominent corner position of the appeal site. Whether or not other properties on the estate have erected boundary treatments or extensions, from what I saw, none are comparable to the site-specific harm which would result from the proposed dwelling.
11. The appellant suggests the land is largely underused and is unattractive in its current state. However, there is nothing to stop the garden being planted or maintained in a visually appealing manner. For the reasons set out, the proposal would not be an attractive addition to the street.

¹ Appeal Ref APP/V2635/W/15/3132549

12. I conclude, the proposal would have a harmful effect on the character and appearance of the area. In that regard, it would conflict with the character, context and high quality design requirements in Policies CS06 (Development in Rural Areas) and CS08 (Sustainable Development) of The King's Lynn & West Norfolk Borough Council Core Strategy (2011) and Policy DM15 (Environment, Design and Amenity) of The King's Lynn & West Norfolk Site Allocations and Development Management Policies Plan (2016).

Other Matters

13. The appellant suggests that a number of larger allocated housing sites in the Borough have not delivered at the rate anticipated. However, the Council contends that it can demonstrate a 6.67 years supply of deliverable housing land. There is no detailed evidence before me to demonstrate that the housing land supply is lower than five-years supply. Therefore, paragraph 11d of the Framework is not engaged and I have determined the appeal in accordance with the requirements of the development plan.
14. The use of sustainable building materials, heating, ventilation and draining systems would be commendable. I also recognise the support in the Framework for the efficient use of land in sustainable and accessible locations. Even so, these matters do not justify the identified harm to the character and appearance of the area.
15. The evidence before me indicates that the proposal is for a self-build dwelling and that the appellants intend to live in it. The Framework recognises the need to provide housing for different groups including for people wishing to commission or build their own homes. However, there is no suggestion that the proposal would meet demand on the self and custom build housing register. Furthermore, no planning obligation before me by which to secure the plot for self-build purposes. Therefore, the potential for the site to deliver a self-build plot carries limited weight in this instance.

Conclusion

16. The proposal would result in significant harm to the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR