



# Appeal Decision

Site visit made on 11 June 2024

**by R Norman BA(Hons), MA, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>TH</sup> July 2024**

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**Appeal Ref: APP/V2635/W/24/3337158**

**Land SW of The Coach House, Low Road, Wretton, Norfolk, PE33 9QN**

- 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 & Miss J & C Grief & Bennett against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref is 23/01376/F.
  - The development proposed is a detached dwelling and garage.
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## Decision

1. The appeal is allowed and planning permission is granted for a detached dwelling and garage at Land SW of The Coach House, Wretton, PE33 9QN in accordance with the terms of the application, Ref 23/01376/F, subject to the conditions in the attached schedule.

## Main Issues

2. The main issues are the effect of the development on:
  - the character and appearance of the area; and
  - the open countryside.

## Reasons

### *Character and Appearance of the Area*

3. The appeal site currently comprises part of a wider parcel of agricultural land with wooden post and rail fences present. It is located adjacent to a sewage pumping station and there are numerous dwellings in proximity to the appeal site along Low Road, Church Road, West Dereham Road and Wretton Fen Road.
4. The proposal would introduce a new dwelling into the site, with detached double garage and associated garden land. The dwelling would be sited adjacent to the side boundary with the pumping station and would front onto Low Road. Access would be from Low Road leading to a driveway area. The dwelling would be two storey.
5. The appeal site is agricultural in use at the moment and forms an open area on the junction with Wretton Fen Road. Wretton is included within the Smaller Villages and Hamlets category for the purposes of Policy CS02 of the King's Lynn and West Norfolk Borough Council Local Development Framework – Core Strategy (2011) (Core Strategy). This states that development in Smaller Villages and Hamlets will be limited to specific identified needs only in accordance with Policy CS06. Policy CS06 of the Core Strategy lists the

- strategy for development in rural areas and indicates that in rural villages, smaller villages and hamlets modest levels of development will be permitted to meet local needs and maintain the vitality of communities where this can be achieved in a sustainable manner and without detriment to the character of the surrounding area or landscape, amongst other things.
6. Policy DM3 of the Site Allocations and Development Management Policies Plan (2016) (SADMPP) is relevant to the proposal. It advises that new development in Smaller Villages and Hamlets will be limited to a set of development types and housing which comprises sensitive infilling of small gaps within an otherwise continuously built-up frontage, where it is appropriate to the scale and character of the buildings and its surroundings and will not fill a gap which provides a positive contribution to the street scene, amongst other things.
  7. The appeal site is physically separated from the existing dwellings along Low Road by the pumping station and the land is open to the other side of the appeal site. As such, I accept that the appeal site does not comprise a small gap within an otherwise continuous built-up frontage. Nevertheless, having regard to the overall character of this part of the village, the appeal site still appears to fall within the built form, in proximity to the core of the village around the crossroads, with properties opposite, running along the south side of Low Road beyond the pumping station and a small cluster on the opposite side of Wretton Fen Road. As such, I do not find that a dwelling in this location would appear isolated or out of context and character with its surroundings, and it would be a natural continuation of the linear development along Low Road.
  8. In addition, the proposal has been designed to reflect the character, appearance, scale and spacing of the properties to the other side of the pumping station and the dwelling would be sited adjacent to the boundary with the pumping station to further assimilate it within the existing village form. Although not a dwelling, I consider the pumping station site appears as part of the built form as it contains evidence of pipes and drainage infrastructure and has industrial style fencing and gates. As such, the proposed development would carry on the built form in this regard. Whilst there would be a gap between the appeal site and Wretton Fen Road, the properties beyond and opposite mean that the proposal would not unacceptably extend the village beyond the existing built-up area as I find that this area does not specifically function as a natural end to the village given the developments beyond.
  9. Accordingly, I find that although the proposal would not wholly comply with the provisions of policies CS02 and DM3 insofar as they consider the infilling of small gaps in an otherwise continuous built-up frontage, the proposal would be in keeping with the overall character and appearance of the village and the development would not result in undue harm in this regard.

#### *Open Countryside*

10. The proposal would introduce a new, two-storey dwelling into an area of open agricultural land. However, it would only utilise part of the field fronting onto Low Road and as such, an area of open land would be retained between the appeal site and Wretton Low Road. The overall field makes some visual contribution to the surroundings by allowing some wider views, however these are already restricted to some extent as the parcel of land is seen in the context of numerous surrounding buildings, including dwellings and farm

buildings further along Wretton Low Road as well as the housing on Low Road and West Dereham Road. Given the extent of existing buildings around the site and field, I do not find that this area makes any meaningful transition from the village to the open countryside.

11. I therefore find that, given the level of visual contribution made by the appeal site, the proposed siting of the property adjacent to the pumping station, the surrounding developments and the retention of a significant proportion of the wider parcel of land, the proposal would not undermine the open and undeveloped character of this piece of land and would not therefore result in harm to the open countryside in this instance.
12. The Council refers to Policy DM6 of the SADMPP which relates to housing needs of rural workers. The appeal proposal does not relate to the provision of a dwelling for a rural worker and therefore, whilst I acknowledge the aim of this Policy is to ensure that new development in the countryside is carefully controlled, it does make specific reference throughout to dwellings for workers and therefore, I consider this Policy not relevant in this instance. I also note that whilst referred to in the reasons for refusal, the officer's report does not list it as a relevant policy nor refer to it in the conclusions. Notwithstanding this, Core Strategy Policy CS06 states that the development of greenfield sites will be resisted unless essential for agricultural or forestry needs which also provides control over new dwellings in the countryside.
13. Given my findings above, I therefore conclude that the proposal complies with Policy CS06 of the Core Strategy insofar as it requires that development maintains local character and a high-quality environment and protects the countryside for its intrinsic character and beauty. Nevertheless, there is some conflict with this policy where it refers to restricting the development of greenfield sites. However, I have balanced this against the location of the site within the main village core and the amount of land that would be lost and find there to be no material harm arising in this regard. The proposal would also comply with the overarching aims of Section 15 of the National Planning Policy Framework (2023) which seeks to conserve and enhance the natural environment.

### **Other Matters**

14. The appeal site is located within the Norfolk Valley Fens, Breckland and The Wash Zones of Influence and therefore an appropriate assessment has been undertaken and Natural England consulted on the proposal. I have taken the comments of Natural England into account. The proposal generates a financial contribution towards mitigating the impacts of additional recreational pressures on these areas. The Council have advised that the Appellants have paid the required fee in this instance<sup>1</sup>.
15. The Appellants have advised that the property will be developed as a self-build plot and has provided a signed Unilateral Undertaking dated 10 May 2024 to secure this. The Council acknowledge that there is a shortfall in the provision of custom and self-build dwellings. This proposal would only make a limited contribution in terms of housing numbers but nevertheless would be a positive consideration.

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<sup>1</sup> Council's Officer Report – Ecology and Biodiversity Section

16. The appeal site falls within Flood Zones 1, 2 and 3, however the proposed dwelling would be located largely within Flood Zone 1. A Flood Risk Assessment was provided in support of the proposal which recommended that finished floor levels be raised in order to ensure the development is safe in flood risk terms. The Council have considered that the proposal would be acceptable in flood risk terms, and I have little before me that would lead me to conclude otherwise.
17. Letters of objection have been received from local residents concerning, in addition to the matters covered above, the erection of fencing within the site, setting a precedent for further development, the lack of facilities and space within schools and medical practices, the amount of new housing built in Wretton in recent years, loss of habitats, loss of agricultural land, highway safety and the state of the roads, other applications for extensions being refused, design concerns and other properties for sale within Wretton.
18. In relation to setting a precedent for further development, each case would need to be considered by the Council on its own merits. Furthermore, I have no details of the extension that was refused therefore cannot comment on this or conclude that it is sufficiently comparable to the scheme before me to alter my conclusions on this appeal. The fencing within the wider agricultural parcel is not something that is before me as part of this appeal and therefore there is no need for me to conclude on these matters. The Council have not raised concerns over the design of the proposed dwelling, and I note that there are many different designs of properties in the village and the proposal would reflect the appearance of the newer properties along Low Road.
19. I note the concerns over the level of services and facilities, including school and health places however I have little before me to evidence that these facilities would not have capacity for occupants of one additional dwelling in this instance. I note that other dwellings are being built in Wretton and that there are properties for sale however this is not sufficient to warrant refusal of a single additional dwelling.
20. In relation to highway safety and the condition of the roads, the proposal would generate a low level of vehicular movement and the visibility at the proposed access is satisfactory. I also note that the local highway authority has raised no objections to the proposal.
21. In relation to ecology and biodiversity, a shadow Habitats Regulation Assessment was provided, and I have little before me that would lead me to conclude that the development of the appeal site would result in a harmful loss of habitats, nor that the loss of a relatively modest piece of the wider agricultural parcel of land would be unacceptable.
22. A letter of support was received during the application process, however it is not necessary for me to conclude on the points raised in light of my overall findings on the appeal proposal.

### **Planning Balance**

23. The proposal would fail to comply with some elements of Policies CS02 and CS06 of the Core Strategy and SADMPP Policy DM3 as identified above, and therefore the development plan as a whole. However, I have concluded that no material harm would arise as a result of this conflict.

24. The proposal would provide a new dwelling which would make a contribution to the Council's provision of custom and self-build units. Although a single dwelling would make a limited contribution in this instance, it would nevertheless be a benefit carrying moderate weight and given the limited policy conflict and the lack of material harm arising in this instance, I find that this would outweigh this conflict, and therefore the proposal is acceptable.

### **Conditions**

25. In addition to the standard time limit condition, I have imposed a condition listing the approved plan as this provides certainty. The Council have provided a list of suggested conditions which I have considered against the criteria within the Planning Practice Guidance. I have imposed conditions relating to the construction and provision of the access and offsite parking areas in the interest of highway safety.
26. I have not imposed the suggested conditions restricting the provision of access gates, bollards or other means of enclosure, or removing permitted development rights in relation to future extensions and alterations to the proposed dwelling. Permitted development rights should only be removed in exceptional circumstances and insufficient justification has been put forward as to why these are necessary. Having regard to the speed limit of the road, the visibility, the size of the plot and proposed dwelling and the character of the area, I do not consider there to be exceptional circumstances to justify these in this instance.

### **Conclusion**

27. For the reasons given above, and having had regard to all matters raised, the appeal should be allowed.

*R Norman*

INSPECTOR

## **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing no 1235.02 Rev C.
- 3) Prior to the first occupation of the development hereby permitted, the vehicular / pedestrian / cycle access over the verge shall be constructed in accordance with the highways specification TRAD 4 and thereafter retained at the position shown on the approved plan. Arrangements shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- 4) Prior to the first occupation of the development hereby permitted the proposed access and on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.