



Appeal Decision

Site visit made on 9 December 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal Ref: APP/V2635/W/24/3346673

24A Common Road, Snettisham, Norfolk PE31 7PE

- 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 Cribb against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref is 23/01243/F.
 - The development proposed is demolition of outbuilding and construction of single dwelling following sub-division of site.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The parties have had the opportunity to make comments on the revisions to the Framework as part of the appeal process.

Main Issues

3. The main issues are:
 - whether the proposed development would provide suitable living conditions for future occupiers, with regard to external amenity space provision; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Living conditions

4. The main proposed external space that would be usable for future occupants is limited to the area to the northeast of the site. There is an earth bund with close boarded fence above running along one of the boundaries of this space, which is directly adjacent to the A149 road. Whilst softened by planting, due to the height and the engineered and robust appearance, this boundary treatment appears as a significantly oppressive feature.
5. As a result of the relationship between the earth bund and fence boundary treatment combined with the new boundary treatment that would be required to sub-divide the site and the existing close boarded fence to the northeast, the only useable garden space would appear significantly confined. This would

result in an oppressive experience for future users. Whilst it would improve the openness of the proposed garden space, the removal of the existing semi-mature tree and replacement with lower level planting would not override my concerns.

6. Whilst there are small areas of external space proposed to the rear of the dwelling, due to the limited depth and position in proximity to the rear boundary treatment, they would not provide usable outdoor spaces. The external space proposed to the front and side would be constrained in terms of usability as a significant part of it would be used for parking and turning.
7. I note that there are other existing dwellings nearby with more limited garden spaces, particularly in relation to those more recent developments to the southwest. Nevertheless, some of those appear to have other external spaces to the front located away from the A149, or the garden depths and widths are greater, or the gardens are removed further away from the boundary with the A149. In any case, if any of these other dwellings are deficient in this regard, it is not a reason to support new development which is substandard.
8. Policy NP06 of the Snettisham Neighbourhood Plan 2018-2033 Brought into force November 2018 (NP) states that new dwellings should have gardens, the size of which shall be at least equal to the footprint of the building, including any garages. The appellant asserts that the proposal would be in excess of this requirement. The Council do not dispute this point. However, Policy DM15 of the Site Allocations and Development Management Policies Plan Adopted September 2016 (SADMPP) is less prescriptive in its approach and states that the impact on the amenity of any future occupiers of the proposed development must be assessed and any development that is of poor design will be refused.
9. Consequently, I am unconvinced that the proposal would provide a satisfactory garden space for future occupants in qualitative terms. I therefore find that the proposal, by failing to provide suitable living conditions for future occupiers, with regard to external amenity space provision, would be contrary to Policy DM15 of the SADMPP in this regard.

Character and appearance

10. The appeal site comprises a brick outbuilding and garden area which currently serve the occupiers of 24A Common Road. As stated above, along the southeastern boundary of the site is an earth bund with fencing above which separates the site from the A149 road. The appeal site sits within a triangular area of land which is sandwiched between Common Road and the A149 road.
11. To the northeast of No 24A are a row of three modern detached dwellings with frontage onto the road. To the southwest is a varied pattern of development with tandem development, built form set back behind the frontage, large commercial buildings, agricultural buildings and development in depth along roads, including Avocet Drive, Spring View, The Meadows and Golden Pheasant Drive. Both overall plot sizes and private garden sizes along this part of Common Road vary with some of the more modern properties having more limited external space. The more modern developments around the appeal site have resulted in a more densely developed area. This variation in the pattern of built form along this part of Common Road adds to its character and appearance.

12. The proposal would result in the intensification of the residential use of the site and would result in a different relationship between No 24A and the proposed dwelling when compared to the ancillary use of the existing outbuilding which forms part of the wider plot currently.
13. However, a change in this relationship is not necessarily harmful. Whilst I acknowledge that the three detached properties to the northeast of No 24A are frontage development without any development to the rear, the pattern of development adjacent to the southwest of the appeal site is sufficiently varied in form and layout, so much so, that a single storey dwelling to the rear of No 24A would not appear out of keeping with the settlement pattern in this location.
14. I acknowledge that the more comprehensive developments with dwellings located in depth off roadways provide a different type of character and layout to backland and tandem developments of individual plots. However, the proposed arrangement would be in keeping with others in the area including that at 26 Common Road, where a dwelling is located to the rear of the frontage property. Sufficient separation would be provided between No 24A and the proposed dwelling. The proposed garden sizes for both the existing and proposed dwellings would be roughly the same size as others nearby. Whilst the proposed plot size would be smaller than some, it would still remain in keeping with the varied plot sizes along this part of Common Road.
15. Very limited views of the proposal would be possible from Common Road, given the set back position and the single storey nature of the proposal. When approaching from the southwest along the A149, the roof and part of the side elevation of the proposed dwelling would be partially visible. However, it would replace the existing outbuilding which is currently visible in part. The proposal would also be seen against the surrounding built form from this viewpoint. When approaching from the opposite direction along the A149, the proposal would be significantly screened by the existing fencing.
16. Consequently, whilst the proposal would result in an intensification of the residential use on the site, I do not consider that it would result in the overdevelopment of the site for the above reasons.
17. The Council has identified that the appeal site lies within the Norfolk Coast National Landscape (NL)¹. The Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in NLs which have the highest status of protection in relation to these issues. Limited information is before me on this matter.
18. Nevertheless, the proposal would be contained within the existing site and would not encroach into the open countryside beyond. Given the existing enclosure of the site including the earth bund along the A149 road and the existing built form on the site, the proposal would not stand out in the landscape, nor would it have a harmful effect on the rural character of the surrounding area or the setting of the settlement. For the above reasons, the proposal would also conserve the NL.
19. I therefore find that the proposal would not be harmful to the character and appearance of the area. In this regard, it would comply with Policies CS08 and

¹ Formerly known as an Area of Outstanding Beauty (AONB)

CS12 of the King's Lynn & West Norfolk Borough Council Local Development Framework - Core Strategy Adopted Version July 2011, Policy DM15 of the SADMPP and Policies NP05 and NP09 of the NP. These policies seek, amongst other things, that new developments respond to context, local character and local setting, that they are sensitive to the surrounding area, that they do not detract from the inherent quality of the environment and that they protect and enhance the landscape including the Norfolk Coast NL.

Other Matters

20. I note that this is a revised scheme following a previous refusal by the Council and that the appellant sought to resolve the issues raised through that previous application. Be that as it may, I must consider the appeal scheme on its individual merits.
21. The Council asserts that it is currently exceeding its five year housing land supply requirement. The appellant states that the Council's position in this respect is dependent on an emerging Local Plan and therefore cannot be relied upon and that the Council's Housing Delivery Test dropped to 90% in 2022 and therefore great weight should be attributed to the provision of new housing. Limited information is before me on this matter.
22. The proposal would result in a new dwelling on a small site which would contribute to the housing supply. There would also be economic benefits during the construction phase and in the longer term with future occupants spending in the local area and supporting local facilities. Nevertheless, given the modest scale of the proposal, these benefits would be minor. Even if the Council was not able to demonstrate an adequate housing land supply, I consider that the harm identified above would be long lasting and contrary to the objectives of paragraph 135 of the Framework, which seeks, amongst other things, that developments provide a high standard of amenity for future users. I ascribe this substantial weight, and as such, the benefits would not outweigh the harm identified.
23. It is asserted that the proposal would not impact on any designated heritage assets, ecology or arboricultural constraints, that there is no known risk of contamination and that the site is not at risk of flooding or drainage issues. A lack of harm in these respects does not weigh in favour of the proposal.

Conclusion

24. Whilst I have found that the development would not have a harmful effect on the character and appearance of the area, I have found that it would not provide suitable living conditions for future occupiers, with regard to the provision of external amenity space. Consequently, I find that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate a decision should be made other than in accordance with it. For the reasons given above I conclude that the appeal should be dismissed.

G Dring
INSPECTOR