



Appeal Decision

Site visit made on 25 September 2001

by **Lucy Drake BSc MSc MRTPI**

an Inspector appointed by the Secretary of State for Transport,
Local Government and the Regions

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Date

- 4 OCT 2001

Appeal Ref: APP/V2635/A/01/1067508

Site address: Sunnyside, 66 West Winch Road, North Runcton

- 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 & Mrs M Raphael against the decision of Kings Lynn and West Norfolk Borough Council.
- The application (Council's ref: 2/01/0165/O), dated 30 January 2001, was refused by notice dated 23 May 2001.
- The development proposed is the construction of eight detached dwellings.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The planning application was submitted in outline form with only the principle of the development and the means of access to the new dwellings for consideration at this stage.
2. At the date of my visit this stretch of the A10 was closed to through traffic, to allow re-surfacing work and other improvements to take place and I therefore saw the site and its surroundings in most untypical circumstances. I have however driven along the road at other times, in both directions, and have built up a picture of normal conditions using the information submitted by parties to the appeal.

Main Issues

2. The main issues in this case are:
 - (a) The impact of the proposals upon the character and appearance of this part of North Runcton.
 - (b) The consequences for highway safety and the free flow of traffic on West Winch Road.

Planning Policy

3. In justifying their decision to refuse the application the Council have referred to the Kings Lynn and West Norfolk Local Plan adopted in November 1998. The appeal site lies within a defined Built Environment Type D area: built up parts of towns and villages where the majority of the development usually post-dates 1914. In these areas Policy 4/21 says that development which has regard for and is in harmony with the building characteristics of the locality will be permitted.
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4. West Winch Road is the northern end of the A10 Kings Lynn- London road and is defined as a Primary Corridor of Traffic Movement in the Local Plan. Although the A10 lost its trunk status when control for its management and maintenance passed from the Highways Agency to Norfolk County Council in April 2001, it remains a primary route. Trunk roads and other primary routes have a strategic role in carrying long distance traffic between major centres. The stated intention of Local Plan Policy 9/11 is to resist new development close to these roads where their traffic carrying function and capacity would be adversely affected by additional local traffic movements. Local Plan Policy 9/29 says that in deciding planning applications the Council will promote, amongst other things, safe road and secure environmental conditions throughout the Borough.
5. In July 2001 the Council adopted supplementary planning guidance to the above policies, specifically relating to 1-84 West Winch Road. This says that development in depth away from the frontage and/or requiring a new access road or private drive off the A10 will not be permitted. Any potential frontage infill plots will be within 50 metres of the road, and to that extent the Built Environment Type D character notation will not imply acceptable limits for new development. This approach followed the granting of permission for a number of residential developments on infill plots and small private roads during the 1990s when the Highways Agency had taken a more relaxed attitude than their predecessors, the Department of Transport, to the creation of new private access points onto the A10.
6. The Council were concerned that this was contrary to the objectives of Local Plan Policy 9/11 and could have a harmful effect upon the function and capacity of the road, contrary to Local Plan Policy 4/21. Additionally it was considered that the high ambient noise levels on the A10 were such that residential development should not generally be encouraged. The transfer of responsibility for the road to the County Council, who support the views of the Borough Council, has allowed a more restrictive approach to be followed, within the parameters of the Local Plan.
7. Although the supplementary planning guidance was not adopted until after the application had been refused, it was formulated in response to this and other applications and was subject to local consultation. I therefore consider it an important and relevant material consideration in this case.

Background

8. The appeal site comprises a plot of land to the rear of the dwelling Sunnyside, on the western side of the A10, about 700 metres south of the Hardwick Roundabout. This is a complex six-exit roundabout with traffic lights where the A10 joins the A47. The site is currently in use as a paddock and extends for some 130 metres to the rear of Sunnyside, which is itself set back by about 50 metres from the road. The existing private driveway alongside Sunnyside would be widened and extended into the appeal site, to additionally serve the eight proposed dwellings.

Reasons

The impact of the proposals upon the character and appearance of this part of West Winch Road.

9. This part of West Winch Road is characterised by residential development in the form of detached dwellings fronting the road, with the occasional side track containing some houses.

One such track runs along the north side of the appeal site providing public access to the open land to the rear. My attention was drawn to a new development of five houses sharing a single access off West Winch Road about 300 metres further north, and also a site where planning permission has recently been given for residential development, using an existing access, to the rear of the houses directly opposite the appeal site. I am also aware that that the Local Plan designates a large area of land for new housing, with a road frontage of over 100 metres, also on the opposite side of the A10.

10. In my view this part of West Winch Road is normally characterised by a zone of busy and noisy activity centred along the road itself, with the frontage housing giving it an urban or suburban appearance. But down the side lanes and to the rear of the long plots, which have all been included within the Type D notation, the character is far more peaceful, less developed and more aligned to the rural surroundings. It seems to me that the Council's supplementary planning guidance is seeking to maintain the balance between these two characters, by seeking to restrict new development to the 50 metres on either side of the road, thereby protecting the rural qualities of the land to the rear. Were the proposed development to take place, what is currently an open field would be transformed to a residential enclave, extending for some considerable distance into the backland area. This would have a particularly noticeable effect upon the character and appearance of the public track to the north and the views of the appeal site from the open land to the west. Were permission to be granted in this case, it would be difficult for the Council to refuse similar applications for the many long plots and areas of open land to the rear of the frontage houses. This would be both contrary to their recently clarified policy for the area and would have a significant effect upon the rural character of this land.
11. I therefore find that the proposal would be contrary to the intentions of Local Plan Policy 4/21, as clarified by the recent supplementary planning guidance, in that it would detract from the generally open, rural character of the land to the rear of the dwellings on this part of West Winch Road.

The consequences for highway safety and the free flow of traffic on West Winch Road.

12. The proposal would also be contrary to the specific intentions of the supplementary planning guidance, based on Local Plan Policy 9/11, to limit further increases in the number of private access points onto this stretch of the A10, and the amount of local traffic using the existing access points. The figures supplied by the County Council, when added to my own experience and the comments of my colleague in appeal ref T/APP/V2635/A/98/296788/P9 for the plot to the north of Sunnyside, indicate a very heavily used stretch of road with a high proportion of HGVs. The personal injury accident figures supplied by the County Council support a picture of congested road conditions where drivers need to take considerable care to avoid tail-end collisions and accommodate vehicles turning onto or off the road.
13. Traffic approaching from the south may well be slowing down, or even queuing as it approaches the Hardwick Roundabout, some 700 metres to the north. But oncoming traffic travelling in the opposite direction is likely to be speeding up, or travelling at a steady 40mph having left the roundabout. Drivers would not be expecting to slow down again, or even stop for local traffic turning off the road. I note the comment of a local resident who says that traffic waiting to turn can cause a backlog to build up from the Roundabout.
14. I accept that there are a considerable number of private driveways and roads leading off this stretch of the A10, that the geometry of the proposed access in its revised form may meet the

requirements of the highway authority in terms of visibility and design, and that it would be of a better specification than some of the existing junctions. But in my view this does not justify the significant increase in use of the access point which would result from the eight proposed houses and the commensurate increase in the likely number of turning movements and local trips which would add to the already congested and hazardous conditions on this part of West Winch Road and further prejudice its function as a Primary Corridor of Traffic Movement. I therefore find that the development would have a potentially harmful effect upon highway safety and the free flow of traffic on West Winch Road, contrary to Local Plan Policies 9/11 and 9/29 and the Council's recent supplementary planning guidance.

Conclusions

15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

16. In exercise of the powers transferred to me, I dismiss the appeal.

Information

17. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.



INSPECTOR