



Appeal Decision

Site visit made on 12 September 2006

by Janet L Cheesley BA (Hons) DipTP MRTPI.

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 20 October 2006

Appeal Ref: APP/V2635/A/06/2015208

Land adjacent to 257 Lynn Road, Terrington St Clement, King's Lynn, Norfolk PE34 4HU

- 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 J Harrod against the decision of the Borough Council of King's Lynn and West Norfolk.
- The application (Ref.05/02667/O), dated 21 December 2005, was refused by notice dated 13 February 2006.
- The development proposed is a dwelling.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The application is in outline form with details of means of access to be determined at this stage.

Main Issues

2. I consider that there are two main issues:
the effect of the proposal on the character and appearance of the surrounding area; and
the effect of the proposal on highway safety and the free flow of traffic on Lynn Road.

Planning Policy

3. The development plan includes the Norfolk Structure Plan adopted in 1999 and the King's Lynn and West Norfolk Local Plan adopted in 1998. Structure Plan Policy H7 limits housing development in this area to individual dwellings or small groups of houses that enhance the form and character of the village and its setting. The appeal site lies within a Built Environment Type D in the Local Plan and Policy 4/21 allows dwellings that have regard for and are in harmony with the building characteristics of the locality. Local Plan Policy 8/1 allows such dwellings if the proposal complies with other relevant policies. Local Plan Policy 9/29 promotes good standards of building design, a respect for visual and residential amenities and safe road conditions.

Reasons

Character and Appearance

4. The appeal site lies within a primarily residential area comprising mainly of detached bungalows and two-storey dwellings. A characteristic of this area is the spacious setting of the dwellings within long gardens. The appeal site lies within the grounds of 257 Lynn

Road, a two-storey property, with a significantly shallower depth of garden than the majority of gardens in the area. Currently there is a garage building situated on the site. I note that the ridge height of the propose dwelling would be no higher than that of No. 257 Lynn Road.

5. From my observations, I am of the opinion that due to the shape and size of the appeal site the proposed development would appear cramped and out of scale with the form and character of the surrounding area.
6. In reaching this conclusion I have taken into consideration amongst other matters the example of planning permission for a property on land north of 35 Station Road, Walpole Cross Keys, which has been brought to my attention by the appellant. I am not fully aware of the planning history of this example and I have considered the case before me on its individual merits. In light of the harm I have identified, this example does not justify allowing the appeal.
7. In conclusion on this issue, I am of the opinion that the proposal would have an adverse effect on the character and appearance of the surrounding area and therefore be contrary to Structure Plan Policy H7 and Local Plan Policies 4/21, 8/1 and 9/29 in this respect.

Highway Safety

8. From my site visit it is apparent that Lynn Road is a busy through road. The proposal is to share the existing access with No. 257 Lynn Road with no gates to be fitted. The highway visibility standard for access to the appeal site is for a 2m X distance and 215m Y distance. Visibility looking towards Marsh Road is meets this requirement. However, in the opposite direction visibility is severely restricted by neighbouring boundary treatment and a bend in the horizontal alignment of the road. It is clear from my observations, that the access arrangements are clearly substandard and that visibility is severely restricted.
9. I appreciate that the existing access is being used as an access for No. 257 Lynn Road. I note dispute between the parties regarding the number of recorded accidents in the vicinity. Whatever the number of previous accidents, I consider that the additional vehicular movements generated from a further dwelling, given the restricted visibility at this access, would lead to a greater risk of conflicts arising between outgoing vehicles at this access and vehicles on Lynn Road.
10. I note that the current speed limit may be reduced to 50mph. Even if the speed limit were to be reduced as such, the access would still be markedly substandard. I consider the safety of drivers both on Lynn Road and using the access to the appeal site has to be important and in the particular circumstances of this access I do not consider it appropriate in the interests of safety to reduce the standard. I conclude that the proposal would unacceptably affect highway safety and free flow of traffic on Lynn Road. Therefore it would be contrary to Local Plan Policy 9/29.

Other Considerations

11. In reaching my decision I have had regard to all other matters raised in the representations on which I have not specifically commented including possible overlooking of properties to the north and availability for first time buyers. However, they are not sufficient, in themselves, to justify the refusal of planning permission.

Conclusion

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

Formal Decision

13. I dismiss the appeal.

Janet Cheesley

INSPECTOR

