



Appeal Decision

Site visit made on 11 December 2018

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

an Inspector appointed by the Secretary of State

Decision date: 15 January 2019

Appeal Ref: APP/V2635/W/18/3208288
Bernaleen, Station Road, Docking PE31 8LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Stringer, New World Timber Frame against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 17/02118/F, dated 9 November 2017, was refused by notice dated 10 May 2018.
 - The development proposed is the demolition of existing dwelling and construction of 3 dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The new National Planning Policy Framework (the Framework) was published in July 2018. The main parties have been given the opportunity to comment on this revised document and I have taken any comments made into account.

Main Issues

3. The main issues are:
 - whether the development would preserve or enhance the Docking Conservation Area; and
 - the effect of the development on the living conditions of adjoining occupiers.

Reasons

Conservation Area

4. The appeal site comprises a modest bungalow, set back into the site and is located within the Docking Conservation Area. This immediate part of Station Road is characterised predominantly by linear, road frontage developments of varied scales and designs, but with some properties set back from the road, including the existing bungalow on the appeal site and the adjoining property. The surroundings have a traditional character with brick and flint construction and the older buildings are complemented by some pockets of newer development. Overall, this part of the Conservation Area presents an attractive, varied and traditional streetscape.

5. The proposed development would involve the demolition of the existing bungalow. A terrace of three dwellings would be constructed which would sit further forward than the existing bungalow. Each property would have an area of private garden to the rear and there would be a shared vehicular access and parking and turning areas to the front of the properties. A detached, single storey cart shed would be located adjacent to the northern side boundary, projecting towards the road. The development would reflect the adjacent new development in terms of its design and would utilise brick, timber and flint detailing.
6. The proposal would involve the demolition of the existing bungalow, which whilst does not enhance the character of the surroundings, also does not detract significantly from the visual characteristics of this part of Station Road. I therefore find that it has a neutral effect on the Conservation Area.
7. The proposed dwellings would be two-storey in appearance but would utilise the roof space to provide a third storey. The overall height of the dwellings would be fairly reflective of the new development adjacent. Furthermore, the terraced nature, design and detailing would be similar to the group of terraced properties to the north, beyond Hill Top. Whilst the height would exceed that of Hill Top, there is a varied scale of development in the immediate surroundings and I find that it is the variations in the buildings present that contribute to the visual interest and integrity of the Conservation Area.
8. Furthermore, whilst the development would replace one dwelling with three, which, in combination with the parking arrangements, the Council feel would result in overdevelopment of the site, I find that the level of development proposed would reflect and accord with a number of the existing clusters of dwellings along this part of Station Road.
9. Accordingly, I find that the proposal would preserve the existing character and appearance of the Docking Conservation Area in terms of the scale, height, design and materials of the proposed dwellings themselves, and it would complement the new development adjacent. It would therefore comply with Policies CS01, CS06, CS08 and CS12 of the King's Lynn and West Norfolk Borough Council Local Development Framework Core Strategy (2011) (Core Strategy) and Policy DM15 of the Site Allocation and Development Management Policies Plan (2016) (SADMPP) insofar as they relate to the requirement for development to maintain and respond to the local character and setting, protect and enhance the historic environment and achieve a high quality design. In addition, the proposal would meet the requirements of paragraphs - 127(c), 130 and 192 of the Framework.

Living Conditions

10. The appeal site is located between existing residential sites with the new development of large properties to one side and an existing modest property, known as Hill Top, located directly to the other side. The existing bungalow is set back into the site beyond Hill Top, and the proposed development would bring the development forward into the site. However, the development would include a cart shed for parking which would sit significantly forward of the adjacent property.
11. Hill Top is located in proximity to the side boundary of the appeal site and is slightly angled away. The introduction of the cart shed into this location, whilst

single storey only, would result in harm to the outlook from Hill top. The cart shed would have a pitched roof and although it would be detached from the dwellings allowing a break in the built form it would appear dominant and overbearing in visual terms from this property. Furthermore, the property to the other side of Hill Top is set forward and the introduction of the cart shed in this location would have a significant and harmful enclosing effect on the outlook from the front ground floor windows of this property.

12. Hill Top has a Velux window in the rear roof plane which the Council advise serves a bedroom. The proposed development would result in a larger built form and increased height in proximity to this window. However, although the dwelling on Plot 3 would be sited closer to the rear of Hill Top than the existing bungalow, I consider that sufficient separation has been retained from the northern side boundary to ensure that undue harm would not be caused in terms of overbearing or overshadowing impacts on this window and to ensure that adequate outlook would be retained.
13. I have had regard to the subsequent scheme which has been approved on this site. However, the submitted documents show that the cart shed in the approved scheme does not extend as far forward and is set further from the side boundary than the appeal scheme. I therefore find this to be materially different and accordingly this does not, in my view, set a precedent for the acceptability of the scheme before me.
14. I therefore find that the proposed development would have an unduly harmful impact on the living conditions of the occupiers of Hill Top. It would therefore fail to comply with Policy CS08 of the Core Strategy and Policy DM15 of the SADMPP which require development to avoid significant adverse impacts on the amenity of others, amongst other things. It would also fail to accord with paragraph 127(f) of the Framework.

Other Matters

15. Docking is identified as a Key Rural Service Centre in Policy CS02 of the Core Strategy and provides a good level of services and facilities. The Council have not raised concerns over the principle of residential development in this location and I have no reasons to disagree with this view. However this does not outweigh the harm to the living conditions of adjacent occupiers as identified above.

Conclusion

16. For the reasons given above, and having had regard to all matters raised including the recent approved planning permission for the site and the local objections received, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR