



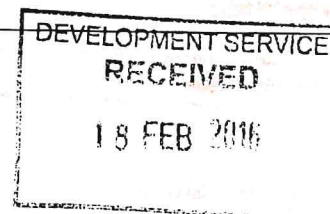
Appeal Decision

Site visit made on 5 January 2016

by **L Fleming BSc (Hons) MRTPI**

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

Decision date: 17th February 2016



Appeal Ref: APP/V2635/W/15/3134206

29 Sandringham Road, Hunstanton, Norfolk PE36 5DP

- 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 Heista Real Estate against the decision of the Borough Council of King's Lynn and West Norfolk.
- The application Ref 14/01550/E, dated 28 October 2014, was refused by notice dated 13 March 2015.
- The development proposed is new single storey dwelling, garage and new vehicular entrance.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character or appearance of the Hunstanton Conservation Area (CA)

Reasons

3. The appeal site originally formed part of the garden of No. 29 Sandringham Road which is a substantial Victorian property, currently in use as flats. It sits in a spacious plot on the edge of the CA and is one of a pair of properties of similar scale and character. The neighbouring property to the east is a more modern detached bungalow outside of the CA set in a smaller plot in a row of bungalows of similar character and appearance.
4. To the front of the appeal site is a decorative wall behind which there is a row of mature trees. There is also a cedar tree towards the centre of the site. The appeal site is currently separated from No. 29 Sandringham Road by fencing. The site is visible from the road through gaps in the trees and when approaching from both directions. Although the appeal site appears relatively underused and unmaintained, it is undeveloped and appears as a large domestic garden within the street scene.
5. In accordance with the statutory duty I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. The Hunstanton Conservation Area Character Statement (2009) identifies No. 29 Sandringham Road together with the neighbouring property to the north west as important unlisted buildings and their large gardens and trees within them as contributors to the special character of the area.

6. The proposed one and a half storey dwelling would be set deep into the plot behind the existing cedar tree. This and the majority of the trees within the plot would be retained having the effect of partly screening the proposed development from the road. However to achieve the access a number of trees would be removed together with a small section of the decorative wall increasing the visibility into the site.
7. The verdant undeveloped character of the appeal site is a significant feature of the Sandringham Road street scene. It is the point of transition between imposing turn of the century houses with substantial gardens to more modern bungalows in much smaller plots. The space between Nos. 29 and 31 Sandringham Road also affords views of No. 29's decorative side elevation and gives the building a setting proportionate to its size which is consistent with the neighbouring property to the north west.
8. No. 29 Sandringham Road would be substantially taller and wider than the proposed dwelling with only a small separation distance between the two buildings. The contrasting scale and form of development would result in a relationship that would appear awkward and at odds with the prevailing character of this part of the CA, which is specifically defined by the two substantial properties set in large plots with significant space between them.
9. For these reasons, I consider that the introduction of the proposed dwelling in the space between Nos. 29 and 31 would detract from the setting of No. 29 and would be harmful to the Sandringham Road street scene. I consider that due to the partial screening provided by the trees along the frontage and the cedar tree within the plot, the harm to the CA would be less than substantial. It should therefore be weighed against the public benefits of the proposal.
10. There would be some benefits such as one more house in the Borough the occupants of which might support local services in Hunstanton and the employment opportunities of building the dwelling. However, these advantages would not outweigh the great weight that should be given to the designated heritage asset's conservation.
11. It is also agreed that the Council cannot demonstrate a 5 year land supply of deliverable housing land. Therefore in accordance with paragraph 49 of the National Planning Policy Framework (the Framework) housing applications need to be considered in the context of the presumption in favour of sustainable development. However, for the reasons given above, the scheme would not meet the environmental dimensions of sustainable development and would harm a designated heritage asset. Consequently, the presumption in favour as set out at paragraphs 14 and 49 of the Framework does not apply in this case.
12. For these reasons, I therefore conclude that the character and appearance of the CA would not be preserved and the less than substantial harm to the character and appearance of the CA is not outweighed by the benefits of the development. The proposed development therefore conflicts with the design and conservation aims of saved Policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998), Policies CS05 and CS12 of the Local Development Framework - Core Strategy (2011) and the Framework.

Other Matters

13. I acknowledge the pre application discussions prior to the application being determined by the Planning Committee and that the application was considered without an officer recommendation or any objections from the Council's Conservation Officer. I have also taken into account the amendments that have been made to the proposed development attempting to address concerns of local representatives and to take account of the advice received from officers. However these matters and the amendments made are not sufficient to overcome the harm I have identified.
14. I also note the comments with regard to the approval of the removal of a large tree nearby. I do not know the full details, but in any event I do not consider that the approved removal of this tree results in any material change to the character or appearance of the area that has any bearing on the decision that I have reached.

Conclusion

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

L Fleming

INSPECTOR

