



Appeal Decision

Site visit made on 8 July 2008

by Chris Hoult BA SPNII MRTPI MIQ

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

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Decision date:
25 July 2008

Appeal Ref: APP/V2635/A/08/2070922

**Land to Rear Of "The Rosery", Bexwell Road, Downham Market, Norfolk,
PE38 9LG**

- 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 Halcyon Homes (Norfolk) Limited against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 07/01601/F, dated 20 July 2007, was refused by notice dated 9 October 2007.
- The development proposed is the conversion of offices to 5, 1 bed dwellings.

Decision

1. I dismiss the appeal.

Main issue

2. I consider the main issue to be whether the proposal would provide satisfactory living conditions for future occupiers of the dwellings, having regard to the provision of private external amenity space and the arrangements for access and parking.

Reasons

3. The proposal involves a long, narrow single-storey building, vacant, though formerly used as offices, and located within the extensive grounds of "The Rosery", a substantial detached dwelling a short walk from the centre of the town. The rear of the building abuts Rabbit Lane, an unmade track providing access to dwellings to the rear, though the building itself is served by a separate, dedicated private access driveway running alongside it. There is an existing planning permission for the conversion of the building to two dwellings, for the conversion of the coach house (a vacant building to the rear) to a dwelling, and for the erection of a dwelling in the grounds alongside.
4. The existing building has a degree of character arising from its form and the use of traditional materials in its construction and, in principle, proposals that seek to retain it with minimal alterations to its appearance could be supported. To that extent, I disagree with the Council that the proposal would be detrimental to the character and appearance of the area. However, the shape of the site and associated access arrangements are constrained. I note also that, although described as such, the proposed five dwellings would not be "affordable" in the sense in which that term is used in Planning Policy

Statement 3 (PPS3): *Housing*. They would be more aptly described as open-market housing of modest size.

5. Room sizes, notably bedrooms, would be small and there would be no natural light entering rooms from the rear. Occupiers' amenity would, I consider, be more than usually reliant on external space provision. However, there would be no space at the rear, garden space being limited to individual plots of limited depth at the front, open to view from the proposed parking area. In terms of the number of spaces, parking provision would appear to be adequate but there would be restricted turning space behind them, with limited width for vehicles to pass side-by-side. This space would be located adjacent to the front gardens. This would lead to noise and disturbance from vehicles manoeuvring and attempting to pass each other, which would further reduce the amenity value of the garden space provided.
6. Access from the site is on to the main road heading east from the town centre but I noted that there are 24-hour parking restrictions extending for a considerable distance either side of it. The road is straight and visibility is adequate. I accept that the limited width of the access might, on the odd occasion, require vehicles to reverse on to the main road, if conflict arises with vehicles exiting the site. However, I do not consider that that provides the basis for a separate objection on highway safety grounds, notwithstanding my concerns regarding the adequacy of the access arrangements.
7. I acknowledge the appellants' intention to provide basic, low-cost housing, which would be close to the town centre, and I can see the building's potential for accommodating some form of "mews" development. However, on the evidence of the layout plans before me, I do not consider that the site could support residential development at the intensity proposed without harmfully compromising future occupiers' living conditions. I note the appellants' comments regarding traffic generation as compared with the scheme granted permission, but my concerns relate more to the layout than the numbers of movements involved.
8. Accordingly, I conclude that the proposal would fail to provide satisfactory living conditions for future occupiers, with regard to the provision of private external amenity space and the access and parking arrangements. I note that the Council refers to conflict with saved Policy 4/21 of the King's Lynn & West Norfolk Local Plan but I consider this policy to be of limited relevance with regard to the main issue I identify. However, national planning policy as set out in Planning Policy Guidance Note 3 (PPS3): *Housing* makes clear that good design is fundamental to using land efficiently and requires careful attention to design where more intensive development is involved. This has not, I conclude, been demonstrated in this case.

C M Hoult

INSPECTOR