



Appeal Decision

Site visit made on 23 November 2010

by Ron Boyd BSc (Hons) MICE

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

Decision date: 21 January 2011

Appeal Ref: APP/V2635/A/10/2133176

32 Town Close, East Winch, King's Lynn PE32 1NT

- 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 Client of David Taylor Associates against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 10/00527/F, dated 27 March 2010, was refused by notice dated 24 May 2010.
 - The development proposed is a detached dwelling.
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Decision

1. I dismiss the appeal.

Main Issue

2. I consider this to be the effect the proposed development would have on the character and appearance of the surrounding area.

Reasons

3. The appeal site is the eastern side-garden to No 32 Town Close, the eastern half of a pair of semi-detached ex-Local Authority 2 storey dwellings fronting the north side of Gayton Road to the east of its junction with Town Close. A similar pair, Nos 33 and 34, adjoins the site to the east. The area lies within Built Environment D, as specified in the King's Lynn & West Norfolk Local Plan Adopted November 1998 (the Local Plan), where there is a conditional presumption in favour of development. As a result of recent changes to Planning Policy Statement 3 (PPS3) *Housing*, the appeal site is not classed as previously-developed land, but as a residential garden.
4. Whilst the streetscape includes a variety of dwelling sizes and designs, the appeal site would be situated between 2 pairs of semi-detached houses which are characterised by relatively wide front elevations and generous side gardens. The space around these properties contributes positively to the character and appearance of the street scene. In marked contrast the proposed detached house would have a relatively narrow front façade, albeit detailed to reflect those of its neighbours, and the separation distances between it and its side boundaries would be small. There would be a 2m gap between its western elevation and the eastern elevation of No 32. The combination of the narrower façade, and the proximity to No 32 would give the house an awkward and incongruous appearance to the detriment of the character and appearance of the surrounding area.

5. Of the Policies referred to in the Council's reason for refusal I consider that the Local Plan Policies are of particular relevance, given the non-strategic nature of the proposal for a single dwelling. A key principle of Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1), in common with PPS3, is that design which fails to take the opportunities available for improving the character and quality of an area should not be accepted. Policy 4/21 of the Local Plan is consistent with this approach, stating that development which damages the appearance of its built surroundings will not be permitted. In the light of the harm I have identified above the proposed development would conflict with PPS1, PPS3 and the Local Plan. I conclude that the proposal would unacceptably harm the character and appearance of the surrounding area and in this respect it would conflict with Local Plan Policy 4/21 and, as a result, Policy 8/1.

Other matters

6. The appellant refers to 2 designs for a detached dwelling proposed for the western side-garden of No 7 Town Close, a similar property to No 32, and states that both designs received planning permission. I note from the details provided to me that both designs appear to incorporate wider front elevations, and greater separation from the host dwelling, than is the case in respect of the proposal the subject of this appeal. Therefore they are not directly comparable to the proposal before me which I have determined on its own merits.
7. Both PPS3 and PPS1 give encouragement to the development of land in a sustainable way, whilst respecting local character. This includes making effective use of land by re-using that which has been previously developed. As explained above, the appeal site is not classed as previously-developed land, but as a residential garden. Nevertheless, in housing density terms the proposal would make more efficient use of a site which the appellant advises is suitably located for local services, facilities (including recreational), infrastructure and public transport. Furthermore, the appellant's intention is that the dwelling would comply with certain standards set out in the Code for Sustainable Homes and neither the Parish Council nor local residents have raised objections to the proposal.
8. However, neither these, nor any other matters raised are sufficient to outweigh the harm I have identified in my consideration of the main issue. Whilst I note the concerns of the appellant with respect to the manner in which the Council responded to the application, they do not alter the planning merits of the case upon which my decision is based.

Conclusion

9. For the reasons given above, and having considered all other issues raised, I conclude that the appeal should be dismissed.

R. T. Boyd

Inspector