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## Appeal Decision

Site visit made on 22 September 2020

**by Graham Wraight BA(Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 October 2020**

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**Appeal Ref: APP/V2635/W/20/3254790**

**37 Elm High Road, Wisbech PE14 0DG**

- 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 and Mrs S Rout against the decision of King's Lynn and West Norfolk Borough Council.
  - The application Ref 19/01416/O, dated 9 August 2019, was refused by notice dated 9 June 2020.
  - The development proposed is residential development.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The application is submitted in outline form with only the matter of access for consideration. Therefore, whilst a plan has been submitted suggesting how 8 dwellings and the existing dwelling could be accommodated on the site, this has been provided for indicative purposes only.

### Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the area and (ii) the safe and efficient operation of the highway network in the vicinity of the appeal site.

### Reasons

#### *Character and appearance*

4. The indicative plan submitted suggests that 8 proposed dwellings could be arranged around the existing bungalow, which would be retained. Such a layout would require that the proposed dwellings had a much smaller footprint than the existing bungalow and would almost certainly mean that they would need to be more than a single storey in height. In that scenario, the relationship between the existing bungalow on the appeal site and the proposed development would be visually awkward and incongruous.
5. At the current time, the dwellings on the same side of Elm High Road are set well back from the public highway, which gives a spacious feel on this side of the road, notwithstanding that the properties on the opposite side of the road are generally closer to the public highway. The dwellings immediately adjoining the appeal site are bungalows, which also contributes to the open feel. This spaciousness is continued by the layout of the retail park immediately adjacent

to the appeal site, which too has an extensive open area closest to the public highway. The development close to the frontage with Elm High Road suggested on the indicative plan would substantially erode this spaciousness, to the detriment of the character and appearance of the area.

6. I acknowledge that the proposal is submitted in outline form and that the indicative plan does not necessarily represent what would be the final proposal to be submitted at reserved matters stage. In particular, the number of dwellings could be reduced and they could be repositioned within the site.
7. However, notwithstanding this, given the location of the bungalow and shape of the site, the awkward and incongruous relationship between the existing and proposed development would be likely to remain, even if the number of dwellings were reduced. It may be possible to move the frontage development back. However, this would be likely to cause harm in other respects, due to its close relationship to the existing bungalow. Taken as a whole therefore, the information before me fails to demonstrate that the development envisaged could be accommodated on the site in a manner that would not cause significant harm to the character and appearance of the area.
8. For these reasons, I conclude that the proposal would fail to accord with Policy CS08 of the King's Lynn & West Norfolk Borough Council Core Strategy 2011 (CS) and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP), where they seek to protect character and appearance. There would also be conflict with the aims of The National Planning Policy Framework (The Framework) where it seeks to achieve well-designed places.

#### *Highways*

9. Access would be taken directly from Elm High Road, which is a main arterial road leading into and out of Wisbech. My attention has been drawn to planning permissions for largescale housing that have been granted on sites that are in the vicinity of the appeal site.
10. However, there was no objection to the proposal from the Highway Authority and there is no substantive evidence before me to demonstrate that the additional traffic movements generated by up to 8 new dwellings would result in a harmful impact upon the surrounding highway network.
11. I therefore conclude that the proposal would not cause harm to the safe and efficient operation of the highway network and that there would be no conflict with Policy CS11 of the CS and Policy DM15 of the SADMPP, where they seek to safeguard the highway network. There would also not be a conflict with the aims of The Framework in this respect.

#### **Other Matters**

12. A signed S106 planning obligation has been submitted which would provide for affordable housing in accordance with the requirements of Policy CS09 of the CS. Whilst the delivery of affordable housing would be a benefit of the proposed development, it does not outweigh the significant harm I have identified that would arise to the character and appearance of the area as a result of the proposed development. The S106 also provides for the payment of a per dwelling contribution towards a Habitats Monitoring and Mitigation Strategy. I have not been provided with any information pertaining to this

specific contribution, but it would appear to be offered in mitigation against the impacts of the proposal. Therefore, it does not represent a potential benefit, and does not weigh in favour of the proposal.

13. The appellant states that the existing bungalow must be retained in order for the proposed development to be viable. However, whilst monetary figures have been provided relating to this, no substantive evidence has been provided in support of this matter. Therefore, I give this consideration only limited weight and it does not outweigh the harm that I have found.
14. The proposal would deliver up to 8 new dwellings within an established urban area with good access to services and facilities and it would be within Flood Zone 1. Some economic benefits would arise for a limited period during construction and the appellant points to Community Infrastructure Levy and Council Tax payments that would arise. Reference too is made to landscape and biodiversity improvements as a result of the proposal, however the appeal site is currently well landscaped and covered with mature vegetation, and it is not clear how any significant benefits would arise in this respect. In any event, these considerations, collectively and individually, do not justify the degree of harm that would be caused by the proposed development.

### **Conclusion**

15. Although I find that there would not be harm to the safe and efficient operation of the highway network in the vicinity of the appeal site, there would be significant harm to the character and appearance of the area and a subsequent conflict with the development plan. Therefore, I conclude that the appeal should be dismissed.

*Graham Wraight*

INSPECTOR