

Appeals Summary – June 2017

ENF/114/16/PAR

Land adjoining Chase Farm and Fredericks Loke, Church Lane, Southburgh – Appeal against enforcement notice for a change of use of land from agricultural to mixed use and the stationing of a caravan for residential use

Appeal did not succeed. The Enforcement notice was corrected, varied and upheld.

The Inspector felt there was insufficient evidence to support the appellant's case that the site had been occupied for 10 years or longer.

Development of the site as a residential caravan site, with the domestic paraphernalia likely to accompany it and the upgrading of the access to meet an appropriated standard, would significantly change its appearance from agricultural land to that of a residential character and would not amount to sustainable development. The main issues are not outweighed by the appellant's personal medical circumstances or by any other matters. The inspector therefore concluded that the appeal should not succeed but amended the notice including changing the compliance period from 9 to 15 calendar months as this was considered unreasonably short.

Costs application

The Inspector concluded that the appellant shall pay to Breckland Council the costs of the appeal proceedings, limited to those costs arising in relation to the appeal.

3PL/2016/1227/VAR

Smithy House, The Green, Gressenhall – Variation of conditions with regards to drawings, trees, use and outside storage

Dismissed

The Inspector stated that Conditions 2, 3 and 6 were necessary in the interests of the character and appearance. Their variation would not accord with Policy DC12 of the Breckland Core Strategy, which seeks to retain important natural features such as trees. No exceptional circumstances were demonstrated. Conditions 7 and 8 were also deemed necessary in the interests of the living conditions of occupiers of neighbouring properties.

3PL/2016/1194/F

Land at Mill Lane, Rockland All Saints, Attleborough – Single storey dwellings, garage, cartshed and workshop

Dismissed

The Inspector stated that the proposal would not provide a suitable location for housing having regard to its effect on the character and appearance of the area. It

would result in a marked change to the site and affect the rural setting of the village and is therefore not sustainable development.

3PL/2016/1467/HOU

11 Fir Park, Ashill – First floor extension

Dismissed

The Inspector considered that in terms of loss of light the proposed development would result harm to the living conditions of the occupiers of No 12.

3PL/2016/1443/HOU

49 Drayton Hall Lane, Scarning – Erection of a fence along the perimeter of the front garden

Dismissed

The Inspector stated that the proposed fence stands out in the local landscape as a very prominent, stark and alien feature which is at odds with and harmful to the prevailing leafy and verdant character and appearance of the local area.