

APPEALS SUMMARY- JUNE 2019

3PL/2018/1324/F (Land off Ostrich Lane, Longham) - Erection of 1 self-build dwelling

DISMISSED

The key issues of consideration were (i) Whether or not the appeal site is in an accessible location (ii) The effect of the proposal on the character and appearance of the area. Longham is classed as a rural settlement within the DPD. These are identified as small rural villages with a few, or in some cases, no local services, and are therefore not capable of sustaining growth. Consequently, only nominal housing and employment growth is envisaged within the settlement boundaries, where local capacity allows. The appeal site is outside of the settlement boundaries and some distance from the already limited facilities of a church, pub, village hall, children's play facility and a sports and social club. Furthermore, the roads to access these facilities are narrow, mostly unlit and without footways. It is unlikely therefore that residents would walk or cycle to the limited facilities. Instead they would need to travel further afield to Dereham. The Inspector reasoned that the appeal site was not in an accessible location. The proposal therefore conflicts with Policies DC2 and CP14 of the DPD and paragraphs 8 and 102 of the Framework. In terms of impact on character and appearance of the area having regard to Policies DC16 and CP11. The provision of a dwelling, particularly of the size and extent proposed on the appeal site, would significantly erode that open rural character and be particularly prominent on the corner site which is otherwise surrounded by open countryside. The harmful impact would be exacerbated by the extent of the gravel driveway, so that a large part of the site would be given over to the built development and would be harmful to the character and appearance of the area contrary to Policies CP11 and Dc16 of the DPD. The Inspector accordingly dismissed the appeal.

3PL/2018/0459/0 (Land at Kirkhams Meadow Little Fransham, Dereham) - Residential development

DISMISSED

The Inspector considered that the main issue to be determined in the appeal is whether the proposed access to the site would give rise to unacceptable traffic hazards or inconvenience. The appeal site lies on the northern frontage of Kirkhams Meadow and comprises an area of undeveloped land which is now overgrown. It is proposed that a new group of seven detached dwellings would be constructed on this area of land. The new development would share the existing access, which is intended to remain as private road. Policy CP4 is relevant, which addresses "access and safety concerns" among other matters. The main issue in this case relates to the suitability of the site access to serve the total number of new and existing houses that would result from the development but that must be considered, in light of the housing requirements and their implications for the decision. The access to the proposed new development would also continue to serve six existing houses, a total of thirteen detached and semi-detached houses. A minimum access width of 4.8m would be required to serve, such a number, to enable two vehicles to pass each other, if one is larger than a private car. On the basis of the evidence provided to the Inspector concluded that the proposed scheme would not achieve an access surface of 4.8m overall. The

Inspector concluded that in this case, hazardous or otherwise unacceptable traffic conditions would result, contrary to both the National Planning Policy Framework and the Development Plan. The appeal was accordingly dismissed.

3PL/2018/1387/Hou (5 Moorgate Cottages, Southend, Dereham) Proposed first Floor extension to existing garage to form a study

DISMISSED

The Inspector considered the main issues were the effect of the proposal on the character and appearance of the area, and the effect of the proposal on the living conditions of occupants of nearby dwellings, with particular regard to privacy. The proposal is to extend the garage by creating a first floor with a gabled roof, in order to provide a study. The garage would increase in height from 4.7m to 6.5m. The study would be accessed by an external staircase, balcony and doorway on one side. Policy Dc16 is relevant that states amongst other things that all proposals must preserve or enhance the existing character of the area. The Inspector reasoned that the existing double garage is larger than most other domestic outbuildings in the surrounding rear gardens and the proposed extension would result in a building that would appear unduly prominent, incongruous and at odds with its surroundings, due to increased height and bulk. Accordingly the Inspector considered that the proposal would be harmful to the character and appearance of the area and conflict with Policy DC16. In terms of the external staircase the Inspector reasoned that a privacy screen condition could be imposed to mitigate against the threat to privacy. For the reasons given above the Inspector dismissed the appeal in respect of impact on character and appearance.