

Application Number: PF/17/1740	Appeal Reference: APP/Y2620/W/18/3207749
<b>Location: The Roost, Bolding Way, Weybourne</b>	
<b>Proposal: Conversion of games room to one unit of holiday accommodation without complying with conditions attached to planning permission Ref PF/09/0029, dated 14 May 2009.</b>	
<b>The conditions in dispute are Nos 3, 4 and 5 which state that:</b>	
<b>(3) The development hereby permitted shall be used for holiday accommodation purposes only and shall not be used as the sole or main residence of the occupiers.</b>	
<b>(4) The holiday accommodation hereby permitted shall be available for commercial holiday lets for at least 140 days a year and no let must exceed 31 days.</b>	
<b>(5) A register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.</b>	
<b>Officer Recommendation: Refuse</b>	<b>Member decision (if applicable): N/a</b>
<b>Appeal Decision: Allowed</b>	<b>Costs: N/a</b>
<b>Summary:</b>	
The main issues the Inspector considered were:	
<ul style="list-style-type: none"> <li>• Whether or not the disputed conditions are reasonable or necessary in the interests of protecting the living conditions of future residential occupiers, with particular reference to the availability of private garden space; and</li> <li>• Whether or not the disputed conditions are reasonable or necessary in the interests of highway safety, with particular reference to visibility where the site's vehicular access meets the public highway</li> </ul>	
<b>Living Conditions:</b>	
The Inspector noted the site and the requirements of the Design Guide. He considered that whilst the patio area is smaller in area than the footprint of the appeal property, it is important to note that it serves only a 1-bedroom property such that the number of occupiers would be limited accordingly. He considered that the patio would provide for an appropriate extent and standard of private garden space should the appeal property be used in an unrestricted residential capacity.	
He considered that the disputed conditions are not reasonable or necessary in the interests of protecting the living conditions of future residential occupiers, with particular reference to the availability of private garden space. He felt that there would be compliance with Policy EN4 of the Core Strategy, in so far as this policy requires that new dwellings should provide acceptable residential amenity.	
<b>Highway Safety:</b>	
The Inspector noted the visibility from the shared access and its limitations. Despite the LHAs advice, the Inspector remained unconvinced that the removal of the disputed conditions would necessarily result in a doubling of traffic flows from 3 to 6 movements per day. He was persuaded by the appellant's argument that any permanent occupier of the appeal property would likely become more acquainted with the existing access arrangements, when compared to temporary holiday-let tenants, such that more care would likely be taken when negotiating the junction.	
He therefore concluded that based on the limited intensification in use of the junction that would be anticipated, the disputed conditions are not reasonable or necessary in the interests of highway safety, with particular reference to visibility where the site's vehicular access meets the public highway. As such there would be compliance with Policy CT5 of the Core Strategy in so far as it requires that the expected nature and volume of traffic	

generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area or highway safety.

**Relevant Core Strategy Policies:**

EN4 – Design and amenity

CT5 – Transport impact of new development

**Relevant NPPF Sections/Paragraphs:**

None

**Learning Points/Actions:**

N/a.

**Application Number: PO/18/0662**

**Appeal Reference:**

**APP/Y2620/W/18/3214119**

**Location: Plot next to Kingdom Hall of Jehovah's Witnesses, The Street, Swafield, NR28 0RQ**

**Proposal: Erection of 3 bedroom chalet bungalow (outline)**

**Officer Recommendation: Refuse**

**Member decision (if applicable): N/a**

**Appeal Decision: DISMISSED**

**Costs: N/a**

**Summary:**

The main issues the Inspector considered were:

- Whether the proposed development would provide a suitable location for housing, having regard to the spatial strategy for the area and the accessibility of services and facilities; and
- The effect of the proposed development on highway safety.

**Location of Proposed Development:**

The Inspector noted the content and requirements of policies SS1 and SS2 of the adopted Core Strategy. He also noted the services available in Swafield (a village hall, place of worship and a butchers) and that the next nearest settlement providing full facilities was North Walsham and he considered that the services and facilities available in North Walsham are likely to meet most of the day to day needs of the occupants of the proposed development. He noted the condition of the B1145 linking the application site to North Walsham (no footways or street lighting, narrow in parts with limited visibility in places, 2km between site and settlement and heavily trafficked). As a result he felt that the route would be unattractive for use by foot or bicycle and hence future residents would be heavily reliant on use of the private car.

He concluded that the proposed development would be contrary to policies SS1 and SS2 of the Core Strategy and would be in an unsuitable location for housing.

**Highway Safety:**

The inspector noted the shared access with the place of worship and the butcher and the lack of visibility to the north which is outside the control of the applicant. He also noted that the reduction in visibility to this direction was significantly below that recommended by Manual for Streets.

He noted that the highway authority considers that the proposed development would generate 6 additional vehicle trips per day. Whilst he acknowledged that the proposed development would represent only a small increase in vehicle use of the access, he also considered that any intensification of the current use would result in substantive harm to highway safety due to the insufficient available visibility to the north of the access. He

therefore concluded that the impact on highway safety was unacceptable and therefore that the proposed development was contrary to policy CT5 of the Core Strategy.

**Relevant Core Strategy Policies:**

SS1 – Spatial Strategy for North Norfolk

SS2 – Development in the Countryside

CT5 – Transport impact of new development.

**Relevant NPPF Sections/Paragraphs:**

N/a

**Learning Points/Actions:**

N/a.

**Sources:**

Sarah Ashurst – Development Management Manager