

Appeal Decision

Site visit made on 2 November 2016

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 22 November 2016

Appeal Ref: APP/V2635/W/16/3153036

Land adj. Willow Barn, School Road, St John's Fen End, Terrington St John, PE14 7SJ

- 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 James Ward against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 16/00161/O, dated 24 November 2015, was refused by notice dated 30 March 2016.
 - The development proposed is two dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was made in outline with all matters reserved except for access. I have had regard to the site/location plan, but have treated the siting and layout of the dwellings as shown on the plan as indicative only.
3. Following the determination of the planning application, the Council adopted the Site Allocations and Development Management Policies Plan (SADMP) in September 2016. I have taken into account relevant policies from this plan as highlighted by the Council.

Main Issue

4. The main issue is whether the proposed development would provide a suitable site for housing having regard to the character and appearance of the area.

Reasons

5. The appeal site is located on the northern edge of St John's Fen End, a small settlement clustered along School Road which continues north to Terrington St John. The site forms part of a large field between St John's Fen End and residential properties to the north that intermittently line the road to Terrington St John. There is no dispute between the Council and the appellant that the appeal site lies adjacent to the settlement development boundary for St John's Fen End and is considered to be in the countryside. Fields surround the settlement and extend up to the road. There are expansive views across the countryside reflecting the predominantly rural, open and agricultural character and appearance of the area.
-

6. There is a well-established vegetation boundary along the appeal site's southern boundary with Willow Barn that marks the start of St John's Fen End. In contrast, the site's other boundaries are very open to the adjoining field. The site therefore makes a positive contribution to the character and appearance of the area as a rural, open and undeveloped plot of land.
7. Although all matters are reserved except for access, I note the intention for the proposed development to be two storey and for it to follow the linear pattern of housing along the road. While this would be in keeping with the scale and layout of development to the south, the two houses would be very prominent in the surrounding area, particularly when viewed from the north along School Road. Close boarded fencing of 1.8 metres and low level shrub planting would do little to screen the development, but even with mature boundary planting, there would be an encroachment of the rural, open and agricultural character of the countryside. As a consequence, there would be significant harm to the character and appearance of the area.
8. The Council contends that it can now demonstrate a five year housing supply and has provided a recent appeal decision¹ that supports this position. I have not been presented with any evidence that contradicts the Council's position and leads me to take a different view. Thus, paragraph 49 of the National Planning Policy Framework (NPPF) does not apply in terms of relevant policies for the supply of housing not being considered up to date. Furthermore, the presumption in favour of granting planning permission as set out in paragraph 14 of the NPPF is not engaged.
9. It is apparent that there would be some social and economic benefits relating to the provision of two new houses and the local investment that this would bring. However, these benefits are modest in comparison to the significant harm to the character and appearance of the area.
10. I note the appellant's concerns regarding the timing and process of the Council's decision around a time when the Council's position on five year housing supply was changing. However, even if there were a shortfall in housing land supply now, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
11. I am also aware that planning permission has been granted for development for a similar edge of settlement location in Walpole Highway. However, I have not been presented with any details of this permission so do not know the full circumstances. In any case, I have assessed this proposal on its own merits.
12. Concluding on the main issue, the proposed development would not provide a suitable site for housing having regard to its negative effects on the character and appearance of the area. Therefore, it would not accord with Policies CS01 and CS06 of the King's Lynn and West Norfolk Core Strategy July 2011 which, amongst other things, seek to protect the countryside for its intrinsic character and beauty, or Policy CS08 which, amongst other things, seeks development that responds to the context and character of places. Policy CS02 of the Core Strategy, which is cited by the Council in their reason for refusal, does not explicitly address the issue of development in the countryside, so is not directly relevant in the context of this appeal.

¹ APP/V2635/W/14/2221650 dated 14 July 2016

13. The proposal would also not meet one of the core planning principles of the NPPF, which recognises the intrinsic character and beauty of the countryside, and paragraph 55 of the NPPF which seeks sustainable development in rural areas with housing located where it will enhance or maintain the vitality of rural communities.

Conclusion

14. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR