
Appeal Decision

Site visit made on 21 December 2016

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 27 January 2017

Appeal Ref: APP/Y2620/W/16/3159401

Site adjacent to Esther House, Anchor Road, Spa Common, North Walsham, Norfolk NR28 9AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ron Goose against the decision of North Norfolk District Council.
 - The application Ref PF/16/0834, dated 13 June 2016, was refused by notice dated 31 August 2016.
 - The development proposed is the erection of a new chalet bungalow on plot adjacent to Esther House.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether or not the principle of the proposed development is acceptable with specific regard to its location.

Reasons

The Principle of Development

3. The appeal site is a parcel of land laid to grass and enclosed by a mix of fencing and hedging, between two other dwellings. It is part of an otherwise built up street frontage of development that is located to the north side of Anchor Road. Spa Common is a small group of dwellings to the northwest of North Walsham. Spa Common does not have any formal designation as a main or service settlement in the development plan and as such is designated as being part of the countryside.
4. One of the principle focusses of the Framework¹ is to encourage sustainable patterns of development, specifically with regard to new housing. In setting out that isolated new dwellings in the countryside should be avoided, it encourages new housing to be directed towards those areas that have better access to services on which it would rely for the day to day living of residents. This approach is reinforced by the development plan; specifically the Core Strategy². There are exceptions to this which I shall return to later.

¹ The National Planning Policy Framework 2012

² Paragraph 2.4.13 (Policy SS2) North Norfolk Local Development Framework Core Strategy Incorporating Development Control Policies 2008

5. Whilst designated as countryside, Spa Common is a small cluster of built development and consequently I would accept that the proposed development would not be isolated in the true sense. Nevertheless, it would be remote from any essential services on which a new dwelling would rely for day to day living. North Walsham, a larger service settlement, is a short distance away, albeit via a narrow, unlit and mainly single width rural road without segregated pavements. There are some public transport options but these are infrequent and I haven't been provided with any evidence to suggest that there is a suitable and practical public rights of network available.
6. The appellant does state that it is general practice within the village to walk along the grass verges that line either side of the narrow road that leads to an accessible footpath to North Walsham. Whilst this may be the case, I would not consider it appropriate to actively encourage journeys along surfaces that are uneven, susceptible to weather damage and not practically usable in darkness or by disabled/elderly users.
7. It would be highly likely therefore that any future occupiers would rely wholly on the use of the private car. For this reason, a dwelling on the appeal site would have no better access to essential services than a dwelling in the more 'open' countryside which would be isolated, but a similar distance away from a larger service settlement.
8. The proposed development would not fall under the exceptions for new housing in the countryside as set out by Policy SS2³ of the Core Strategy. As such, it would be an unrestricted and open market dwelling in the countryside, contrary to the Core Strategy.
9. The appellant argues that Policy SS2 places a 'blanket' restriction on housing in some settlements and is therefore inconsistent with Planning Practice Guidance. However, for the purposes of the Core Strategy, Spa Common is not a settlement, it is within the countryside. To my mind the policy is consistent with the Framework which seeks to take account of the different roles and character of different areas and to support thriving rural communities. I see no reason to reduce the weight to be attached to the conflict with this policy.

Other Appeal Decisions and Self-Build

10. I note reference in the appellant's evidence to the granting of planning permission for seven dwellings in South Norfolk District in August 2015⁴. The appellant points out that the main issue was the suitability of the site for housing having regard to the principles of sustainable development. Whilst to a degree this is true, this was not the sole main issue in the determination of the appeal and the context of the appeal site differed somewhat from the one before me.
11. Specifically, the Inspector's comments set out that it was common ground between the Council and the appellant that the site was in a sustainable location. In this case it was local residents who questioned the limitations of services that were available and nearby. The site before me is remote from any services and there are limited options open to residents to access them.

³ Development which requires a rural location, i.e. housing related to agriculture or forestry, extensions, replacements or conversions of existing buildings.

⁴ L2630/W/15/3003743

12. The appellant makes reference to a number of appeal decisions⁵ where Inspectors have attached weight to the fact that the proposals were for self-build projects. The Government is actively seeking to increase the supply of custom and self-build housing. However, whilst I appreciate that the appeal site could be regarded as a serviced plot, there is little evidence regarding the self-build nature of the scheme beyond a general statement of the appellant's intentions. In particular, there is no robust mechanism before me which would secure the delivery of the proposed dwelling as a self-build unit. Consequently, I attach little weight to this factor.
13. As a new and independent dwelling in the countryside and part of a small group of dwellings that lack any service provision, granting a planning permission in this case would encourage unsustainable patterns of development. A principle which Policy SS2 of the Core Strategy seeks to support as well as the Framework. Moreover, there have been no other sufficiently persuasive circumstances presented that would justify a departure from this principle.

Other Matters

14. The appellant points out that the site is previously developed land, as defined in the Framework, that it is available and deliverable and that there would be social and economic benefits from new housing and additional spending in the local economy.
15. On the other hand, there is no dispute that the Council can demonstrate a five year supply of housing sites as required by the Framework. That does not place any limit on the delivery of additional housing but any benefits arising from housing delivery at the appeal site should be seen in that context. Moreover, there is no evidence that the appeal scheme would have a material effect on supporting local services. There are no local services at Spa Common and North Walsham seems likely to remain as a thriving centre with or without the appeal scheme.
16. The scheme is for a single dwelling and any social and economic benefits would be correspondingly modest. Accordingly, I attach only limited weight to the social and economic benefits of the proposal.
17. The appellant draws attention to further appeal decisions but these are not comparable with this appeal scheme. One was for a much larger development of some 137 dwellings⁶ and the other was for a single dwelling in a location where local services could be reached via an existing pavement⁷. The appellant is correct, in responding to the examples of other appeals cited by the Council that have been dismissed⁸ in accordance with the approach of their development plan, that all proposals are considered on their own merits. The appeal before me has been considered no differently.

Conclusion

18. In conclusion, I have found that the principle of the proposed development would be unacceptable and that the proposal would conflict with the Core

⁵ APP/C1570/A/14/2223280, APP/L2630/W/15/3005707 and APP/F2605/W/16/3143958

⁶ APP/L3245/W/15/3137161

⁷ APP/E3525/W/16/3145915

⁸ APP/Y2620/W/15/3081088. NB APP/Y2620/W/15/31348713 is an incorrect Planning Inspectorate reference number

Strategy. Whilst I take account of the social and economic benefits associated with the scheme, these are not sufficient to indicate that the appeal should be determined other than in accordance with the development plan. The appeal should therefore be dismissed.

John Morrison

INSPECTOR