

Appeal Decision

Site visit made on 7 February 2017

by Christa Masters MA (hons) MRTPI

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

Decision date: 23rd February 2017

Appeal Ref: APP/L2630/D/16/3163164

Belmont, Wymondham Road, Ashwellthorpe, Norwich, Norfolk NR16 1EN

- 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 Terry Cheesman against the decision of South Norfolk District Council.
 - The application Ref 2016/1548, dated 20 June 2016, was refused by notice dated 24 August 2016.
 - The development proposed is 1. Additional height to existing soil bank for noise reduction and landscape feature 2. Earthworks, cleaning out and increasing size of existing pond spoils deposited adjacent existing pillbox to replace erosion.
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Decision

1. The appeal is allowed and planning permission is granted for 1. Additional height to existing soil bank for noise reduction and landscape feature 2. Earthworks, cleaning out and increasing size of existing pond spoils deposited adjacent existing pillbox to replace erosion at Belmont, Wymondham Road, Ashwellthorpe, Norwich, Norfolk NR16 1EN in accordance with the terms of the application, Ref 2016/1548, dated 20 June 2016 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans listed: unnumbered site plan, appendix 2 site plan.
 - 2) Within 3 months of the date of this decision, details of all landscape works shall be submitted and approved in writing by the local planning authority. These details shall include:
 - i) earthworks showing existing and proposed finished levels or contours;
 - ii) soft planting works including planting plan and written specifications;
 - iii) means of enclosure and retaining structures;
 - iv) boundary treatments;
 - v) hard surfacing materials;
 - vi) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details and in accordance with the agreed implementation programme.

Procedural Matters

2. The Council have confirmed that they have no objection to the earthworks associated with the existing pond. From the evidence presented and from what I saw on the site visit, I can see no reason to disagree with this view.
3. It was evident from both the site visit and the information presented on the applications form that the works have already been started on the site. However, I have no information, other than what I saw on the site visit, as to the extent that the works have been completed.
4. It was evident from the site visit that the belt of trees along the boundary which the Council have referred to in their second reason for refusal have been removed.

Main Issue

5. From the information presented and the site visit, this appeal has one main issue. The effect of the proposal on the landscape character and appearance of the area.

Reasons

Landscape character and appearance

6. The appeal property comprises a detached dwelling with associated garden which runs parallel to the Norwich Road. The vehicular access to the property is from Wymondham Road. Immediately to the south of the appeal site is the Kings Head Public House. The existing boundary treatment at the appeal site comprises hedgerows and mixed vegetation reflective of the rural character of the area. In terms of the wider area, the boundary treatment along this road includes a mixture of hedgerows and fencing with sporadic tree cover. Opposite the appeal site are open fields with hedgerows. The plans before me indicate that the soil bank would be between 1.8m-2m in height and would extend for a total of 27m along this frontage.
7. From what I saw on the site visit, the soil bund in place has been incorporated into the existing vegetation cover along the boundary. This vegetation is relatively deep and rural in appearance and even in the winter months, the visibility of the bund and indeed the wider property from the road side is limited. From the garden area at the appeal property, the soil bund is a visible feature. However, it is seen within the context of the existing boundary treatment along this boundary. It would not be excessive in height or angle. On balance and taking into account the existing landscape character of the area, I am unable to agree with the Council's view that the proposal fails to respect the local character of the area.
8. The appellant contends that the bank and slope has been designed to allow for planting space on both sides. Subject to a suitable worded condition, the planting of this area could be secured to ensure the long term integration of the bund with the established rural appearance of the boundary. I will return to this matter below.
9. I therefore conclude the proposal would not cause material harm to the landscape character and appearance of the area. It would as a result accord with policy DM 4.9 of the South Norfolk Local Plan Development Management

policies (DMP) 2015. This policy advises that where appropriate, detailed development proposals must demonstrate a high quality of landscape design, implementation and management. It also goes on to note that landscape schemes will be required to respect the character and distinctiveness of the local landscape and should ensure that any land remodelling respects the local topographic character in terms of height, slope, angle and character. The Council have also referred to policy DM 4.8 which relates to the protection of trees and hedgerows. The policy advises that the Council will promote the retention and conservation of significant trees and traditional orchards, serving TPOs where necessary. The proposal would also be consistent with policy 2 of the Joint Core Strategy, 2011 which seeks to ensure, amongst other things, that development proposals respects landscape character.

Conditions

10. As the development has already commenced, it is not necessary to attach a time limit condition for the implementation of the development. A condition to specify the approved plans is necessary in order to provide certainty.
11. The Council have recommended conditions to include an arbiocultural method statement and tree protection plan as well as precise details of the profile of the earth bunding. I have no suggested wording for these conditions. In my view, in order to ensure the appearance of the development is satisfactory, I have included a condition to require a detailed landscape scheme to be submitted and approved by the Council within 3 months of the date of this decision. The wording of the condition I have used also covers the earthworks and requires finished levels. As the trees along the boundary have been removed, I do not consider that it would be either necessary or reasonable to attach conditions relating to an arbiocultural method statement or a tree protection plan.

Conclusion

12. For the reasons set out above and taking into account all other matters raised, I conclude that the appeal should be allowed.

Christa Masters

INSPECTOR