
Appeal Decision

Site visit made on 20 March 2017

by S D Harley BSc(Hons) MPhil MRTPI ARICS

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

Decision date: 29th March 2017

Appeal Ref: APP/F2605/W/16/3166307

Plot adjacent to Plot 2, The Street, Rockland St Peter, Norfolk NR17 1TT

- 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 Dean Barham against the decision of Breckland District Council.
 - The application Ref 3PL/2016/0312/F, dated 5 March 2016, was refused by notice dated 5 July 2016.
 - The development proposed is detached house and double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues in this appeal to be: the effect of the proposed development on the character and appearance of the area; and the principle of development outside the Settlement Boundary.

Reasons

Character and appearance

3. The Street links the two settlements of Rockland All Saints and Rockland St Peter which have two separate Settlement Boundaries and which, together, are known as The Rocklands. The appeal site is part of a field owned by the appellant which fronts The Street and is outside both of the defined Settlement Boundaries.
4. A large part of the frontage of The Street between the Settlement Boundaries is undeveloped. There are two dwellings on the west side of the road. On the east side about midway between the Settlement Boundaries is Wayland Road, a short cul-de-sac, and No 5 The Street, a dwelling which has planning permission to be replaced. There is a recently constructed dwelling and detached garage which forms half of a 2015 planning permission¹ on land between the appeal site and the Rockland All Saints Settlement Boundary.
5. The appeal proposal before me is for one detached dwelling to the side of the two houses granted permission in 2015. It would have a plot width of about 16m and the proposed house and garage together would almost fill the width of the site as viewed from The Street. Together the two developments would

¹ 3PL/2014/1225/F

- occupy a little short of half of the undeveloped frontage between the settlement boundary and No 5 The Street/Wayland Road dwellings.
6. Policy CP11 of the Core Strategy and Development Control Policies Development Plan Document 2009 (the DPD) seeks to protect the rural landscape of the District and expects development to be of the highest design quality in terms of landscape and architecture and to respect the context in which it sits. This is consistent with Paragraph 17 of the National Planning Policy Framework (the Framework) which indicates that planning should take account of the different role and character of different areas and recognises the intrinsic character and beauty of the countryside.
 7. The appeal site is part of the undeveloped area that performs an important role in separating the two distinct parts of The Rocklands. The houses of the 2015 permission on the adjacent land, when completed, will reduce this gap. In my view the addition of a further dwelling as proposed, irrespective of whether a hedge would be planted on the northern boundary, would unacceptably erode the undeveloped gap between the settlements to the detriment of the character and appearance of the area and undermining the role played by the site as part of the undeveloped space between the settlements.
 8. I remain of this view even though the current proposal is reduced in size from three dwellings to one and would be on a narrower plot of land when compared with an earlier proposal dismissed on appeal² on land including the current appeal site. Moreover, whilst every application and appeal must be considered on its own merits, I consider allowing this appeal might well make it more difficult for the Council to resist pressures for further incremental development in the remaining open frontage which would further erode the character and appearance of the area.
 9. The proposed dwelling would be of a similar character to those granted planning permission in 2015. Whilst unobjectionable in itself, the proposed house design, in combination with that of the adjacent permitted houses, would result in a somewhat regimented, suburban estate style of appearance even with the use of appropriate materials. I have seen no evidence to suggest the design would make the most of reinforcing distinctive local patterns of development or establishing a strong sense of place. On balance I consider this would not amount to the highest quality design.
 10. For the reasons set out above I conclude that the proposed development would have a harmful effect on the character and appearance of the area. Accordingly it would conflict with those parts of Policies DC1, CP11 and DC16 of the DPD and those principles of the Framework that seek good design that respects the character of the area and protects the intrinsic character and beauty of the countryside. For these reasons it would also not satisfy the environmental dimension of sustainable development as described in Paragraph 7 of the Framework.

Principle of development and planning balance

11. Policy CP14 of the DPD seeks to focus development in rural communities but does not necessarily preclude development outside settlement boundaries. The Rocklands provide a range of local facilities and the proposed dwellings would

² APP/F2605/W/15/3133842

adjoin existing houses when the 2015 permission is fully implemented. The proposal would not result in an isolated dwelling in the countryside. On this basis I conclude the appeal site is in a sustainable location.

12. The proposed development would provide a very modest but positive addition to the supply of housing in the District irrespective of whether the Council can demonstrate a five year deliverable supply of housing land or not. It would also provide short term employment during construction and help support the local rural community. These benefits would satisfy the social and economic dimensions of sustainable development as set out in Paragraph 7 of the Framework and weigh in favour of the proposal.
13. However, as set out above, I have found that the proposal would harm the character and appearance of the area and would not satisfy the environmental dimension of sustainable development. On balance I conclude that although the location is a sustainable one the erosion of the gap between settlement boundaries and the lack of good design outweigh the benefit of one additional house.
14. Paragraph 8 of the Framework requires that the three dimensions of sustainable development are taken together. In failing to meet the environmental one I conclude that the proposal does not amount to sustainable development as defined in the Framework. Accordingly, whether or not the Council can demonstrate a five year supply of deliverable housing land as required by Paragraph 49 of the Framework, the proposal could not benefit from any presumption in favour of sustainable development as set out in Paragraph 14 of the Framework.

Other considerations

15. The appellant has drawn attention to other cases where development has been permitted. However, the determinative issue in the appeal before me relates to the effect on the character and appearance of this specific location and other sites will differ. Nothing I have seen or read of these other examples leads me to any different conclusion in relation to the appeal before me.

Conclusion

16. Planning applications and appeals should be determined in accordance with the development plan unless material considerations indicate otherwise³. There would be some benefits arising from the proposal. However, in conflicting with Policies DC1, CP11 and DC16 of the DPD the proposal would not comply with the development plan taken as a whole. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should be dismissed.

SHarley

INSPECTOR

³ Section 38 of the Planning and Compulsory Purchase Act 2004