
Appeal Decision

Site visit made on 14 March 2017

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 29 March 2017

Appeal Ref: APP/V2635/W/16/3165547

Land north of 'Mason', Bambers Lane, Emneth, Norfolk PE14 8AJ

- 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 S Melton of C R Melton & Sons against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 16/01601/O, dated 2 September 2016, was refused by notice dated 25 October 2016.
 - The development proposed is 1 No building plot for a bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is for outline permission with all detailed matters reserved. An indicative site layout plan has been submitted and I shall consider that plan on this basis.

Main Issue

3. The main issue in the appeal is whether or not the proposal would accord with national and local planning policies for housing development with reference to its effect on the character and appearance of the area.

Reasons

4. The site is part of an area of unused land which is adjacent to the building and poly-tunnels of a horticultural business. It lies at the end of a row of bungalows on Bambers Lane which is a narrow cul-de-sac. On the opposite side of the road and south-east of the site is open farm land.
5. The appellant has provided extracts from the policies and proposals maps of the recently adopted Site Allocations and Development Management Policies Plan (SADMP)¹ and the former King's Lynn and West Norfolk Local Plan (1998). These show that whereas the site was included within the development boundary in the 1998 Local Plan it is entirely outside that boundary in the SADMP. The Council has explained that this change was part of a general approach to reduce the extent of land within the boundaries at settlement edges.

¹ King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan (2016)

6. No other information is before me as to the merits or otherwise of the previous inclusion of the site within the development boundary. However it is clear that the site is within the countryside for planning policy purposes. Policy DM2 of the SADMP restricts housing development outside the development boundaries to specific categories. The proposal is not within any of those categories and would not therefore accord with that policy.
7. The horticultural business forms part of the open countryside and the existing dwellings along Bambers Lane form a line of built development that projects into the countryside. The proposal would extend that line of development. It is a general requirement of national and local planning policies that the countryside is protected for its own sake. The National Planning Policy Framework (the Framework) has as a core planning principle recognition of the intrinsic character and beauty of the countryside. The proposal would provide encroachment of urban development into the countryside which would be harmful although I acknowledge that the proximity to the building and poly-tunnels of the horticultural business would moderate its effect in this respect. While I note that the proposal would respect the existing linear pattern and single storey form of development this does not reduce the harm to the character and appearance of the area that I have identified.
8. Emneth is a large village which has a range of facilities including a school and shops. It is in close proximity to the urban area of Wisbech and has good public transport connections. No details of walking distances to local services and facilities have been provided. While it is likely that the occupants of the dwelling would use the car to gain access to facilities options for sustainable travel are available and any car journeys to local facilities would be short. I find no harm in terms of the accessibility of the site by sustainable means but neither do I find any particular benefit in this respect.
9. The Framework states that in rural areas housing should be located where it will enhance or maintain the vitality of rural communities and that the provision of new isolated homes in the countryside should be avoided. Although not isolated it has not been demonstrated that the proposal would be of value in enhancing or maintaining the vitality of the community.
10. Policies CS01 and CS02 of the Core Strategy² provide for development to take place in accordance with an identified settlement hierarchy. Emneth is identified as a settlement adjacent to the town of Wisbech. The proposal would not accord with those policies in terms of the site being outside the development boundary. Policy CS06 provides for development in rural areas which should maintain local character. That policy requires protection of the countryside and resists development of green field sites. Policy CS08 requires that development responds to the context and character of places. For the reasons given the proposal would not accord with those requirements.
11. The contamination questionnaire states that the site was previously agricultural land. I saw on my visit that it is fenced off from the adjacent bungalow and does not form part of its garden. For these reasons it is not previously-developed land. The Council states that the site is grade 1 agricultural land but the appellant says that it is not capable of being efficiently used for agriculture. The area of land concerned is limited and it is

² King's Lynn and West Norfolk Core Strategy (2011)

separated from the adjacent land by the access road and by fencing but it has not been conclusively demonstrated that it could not be used for agriculture. This matter does not weigh in favour of the proposal but neither does it weigh against it given the limited size of the site.

12. The Council states that it has a five year supply of deliverable housing sites and the appellant has not disputed this. Accordingly its policies for the supply of housing remain up-to-date. For the reasons given the proposal would not accord with national and local planning policies for housing development. There are no other material considerations that would override the development plan.
13. The proposal may be beneficial in terms of providing a unit of housing which could potentially be supportive of the community and the local economy. The proposal would accord with the social and economic dimensions of sustainable development but only to a very limited extent. On the other hand it would result in harm to the character and appearance of the area which would not accord with the environmental dimension. For these reasons when considered in total the development would not be sustainable and would not accord with policy DM1 of the SADMP which has this requirement.

Conclusion

14. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR