
Appeal Decision

Site visit made on 21 March 2017

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

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

Decision date: 28th April 2017

Appeal Ref: APP/L2630/W/17/3167511

Land at Beccles Road, Loddon, NR14 6JQ

- 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 Reg Holmes against the decision of South Norfolk District Council.
 - The application Ref 2016/2165, dated 9 September 2016, was refused by notice dated 5 January 2017.
 - The development proposed is an outline application for the erection of 4 self-build dwellings with all matters bar access reserved.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is in outline with access to be considered and all other matters reserved. The application also included a conceptual site layout plan which was amended during the course of the original application. I have had regard to this but, as layout was reserved for future consideration, have treated it as illustrative only.

Main Issues

3. The main issues are (a) the effect of the proposed development upon the character and appearance of the countryside (b) whether the development would preserve or enhance the character or appearance of Loddon Conservation Area (c) whether there are other considerations which would weigh in favour of the proposed development.

Reasons

Policy Background

4. The development plan for the area comprises of a Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, amended 2014 (JCS) and the South Norfolk Development Management Policies Development Plan Document 2015 (DMP).
 5. The JCS identifies a spatial strategy for development and JCS Policy 14 identifies Loddon as a Key Service Centre. The DMP supports this strategy, focussing growth within defined development boundaries for each settlement. Development outside such boundaries is considered as countryside and in order to protect and enhance the vitality of these settlements and to protect the
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surrounding open countryside Policy DM1.3 of the DMP permits development in such a location only in exceptional cases consistent with other specific development management policies or where there are overriding economic, social and environmental benefits. The National Planning Policy Framework (the Framework) is also a material consideration. The Council can demonstrate a 16.94 year supply of housing and as such policies for the supply of housing are considered to be up-to-date, however the appellant argues that paragraph 14 of the Framework is engaged as the plan is silent on the matter of 'self-build.' I consider this matter later in my decision.

Rural Character

6. The appeal site is a long and roughly rectangular area of land, located off Beccles Road. Residential development surrounds the site to the north, east and west, however the site lies outside (but adjacent to) the defined development boundary for Loddon.
7. Due to its length, as well as the presence of a number of trees, vegetation and soft boundaries, I consider that the appeal site forms part of the transition from the surrounding built up areas, into the agricultural landscape beyond. It provides a 'green finger' linking the open into the main settlement, and a visual break between development along Beccles Road. I therefore find that the appeal site makes a positive contribution to the rural character of the area.
8. While the appellant submits that the site is infill and would not represent any encroachment, the loss of this area to development would intensify and consolidate the built form. This would erode the break between the settlement and the rural environs and would have an urbanising effect. I acknowledge that, views of the wider countryside from Beccles Road could be maintained through a sensitive layout, based upon the indicative layout plan. Nonetheless, the character of this open area would be transformed by the introduction of residential development and any retention of longer distance views would not overcome my concern in respect of the rural character.
9. It is on this basis that I consider the development would be materially harmful to the rural character of the area and would therefore not accord with DMP Policy 1.3.

Conservation Area

10. The Loddon and Chedgrave Conservation Area (CA) encompasses a large area of Loddon, including the front part of the appeal site, along Beccles Road. As evidenced by the Conservation Area Character Appraisal, part of the significance of the settlement relates to the rural nature of the town and the interaction between urban streets and their linkages and relationship with open spaces.
11. The Council's concerns relate to the outline nature of the application and an unknown impact in respect of the development within the street scene. Scale, landscaping, layout and appearance would be dealt with as reserved matters and could reasonably be assessed at that stage. I also accept that the vegetation along the frontage of the site would be retained and it is the intention of the appellant to restore this as part of any future landscaping proposals. I also note that a previous Inspector¹ was satisfied that, subject to

¹ APP/L2630/A/14/2211393

detailed design, residential development would preserve the established character and appearance of the CA.

12. However, I have found, above, that the site contributes positively to the rural character of the area. As an open site which reinforces the connections between urban and rural, and in light of the identified significance of the CA, in spite of the site not being specifically highlighted as forming any important views into or out of the CA, I consider that the site also makes a positive contribution to the CA and its setting.
13. I therefore have considerable doubts in respect of the principle of development of the site for residential dwellings in respect of the loss of rural character and urbanising effect. Without any details at this stage in respect of design, I am unable to conclude whether, on balance, the development would preserve or indeed enhance the character or appearance of the CA.
14. To this end, the proposals fail to meet the statutory test as set out in s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The development would also conflict with DMP Policy DM 4.10 which requires that proposals sustain and, where possible, enhance the significant of heritage assets.

Other Considerations

15. In accordance with the requirements of DMP Policy 1.3, the appellant has sought to justify the development outside of the settlement boundary in respect of its social, environmental and economic benefits and it is to these matters to which I now turn.

Brownfield Land

16. The appeal site has a long site history and historically it was used as car parking associated with an adjacent factory. It has also been put to me that the land is brownfield, however I agree with the conclusions of the Inspector in 2014² in that evidence of its previous use has largely disappeared and that the site has blended into the natural landscape and appears congruous with the general appearance with the open countryside. While the Framework is supportive of the re-use of previously developed land, where the remains have blended into the landscape in the process of time is specifically excluded by the definition of this as set out in annexe 2 of the Framework.
17. I note that outline permission was also granted in 2004 for residential development, however the appeal site was excluded as part of the reserved matters application for residential development of the Express Plastics site (later withdrawn) and remains undeveloped. Furthermore, the most recent development plan has specifically excluded this site from the defined development boundary after the granting of that consent. I therefore attach little weight to this in favour of the appeal scheme.

Self-build

18. The application seeks permission for 4 self-build plots. The government is actively seeking to increase the supply of such housing through The Self-build and Custom Housebuilding Act 2015. This requires local planning authorities to

² APP/L2630/A/14/2211393

keep a register of people who wish to acquire land for this purpose and that regard is had to this register when exercising planning functions. The Housing and Planning Act 2016, places a further duty upon LPAs to grant permission on enough serviced plots to meet the demand for self-building and custom building in their area.

19. The appellant considers that significant weight should be attached to the self-built aspects of the scheme into the overall balance of considerations under DMP Policy 1.3. While, the Council have not provided any information in respect of number of people on the register, it is understood that as of 30/10/2016 there were 110 persons registered. This is indicative of a reasonable level of demand for this type of development. I also note a letter of support from the MP for South Norfolk who currently chairs the All-Party Parliamentary Group for Self-Build, Custom and Community Housebuilding and Placemaking in respect of a different scheme in South Norfolk District.
20. The site would comply with the requirements for a serviced plot in respect to connections for electricity, water and waste water and that access to a public highway could be provided. Specifically for Lodden, it is also understood that residential development which has been recently granted consent does not include any self-build elements.
21. It is also asserted that the development plan is silent on this matter and as such paragraph 14 of the Framework is enacted. This states that where the development plan is silent, granting planning permission unless any adverse impacts of doing so would outweigh the benefits when assessed against the policies in the framework as a whole.
22. However, Policy DM3.1 of the DMP relates to meeting housing requirements and needs. This policy is broad in its scope but requires the provision of a range of dwelling types to meet the requirements of different households. Moreover, the supporting text does make reference to self-build dwellings. I am therefore satisfied that the plan is not silent on this matter and as such, paragraph 14 is not applicable.
23. My attention has been drawn to a number of appeal decisions in respect of self-build housing. There can be no doubt that self-build is an important consideration in accordance with paragraph 50 of the Framework which requires local planning authorities to plan for a mix of housing, and specifically identifies people wishing to build their own homes. However, of those examples referred to, in two of the submitted examples where the Inspector's found the plan to be silent, these were in other local planning authority areas and such are not directly relevant to this case.³
24. Furthermore, of the two examples which relate to South Norfolk, the Caistor St Edmund decision⁴ was taken before the adoption of the DMP and it is clear that the Inspector found that the Council could not demonstrate a 5 year housing land supply at that time. In the Dickleburgh decision⁵ the Inspector did find that the development plan was silent and gave weight to the development being self-build. However, in light of the main issues of the case, and due to a

³ APP/C1570/A/14/2223280 and APP/F2605/W/16/3143958.

⁴ APP/L2630/W/15/3005707

⁵ APP/L2630/W/16/3156435

lack of any specific details, it is not clear whether DMP Policy 3.1 was before the Inspector.

25. In light of all of the above, while I do not accept that the development plan is silent on this matter, I recognise that the provision of self-build dwellings would provide social and economic benefits which would weigh in favour of the scheme.

Accessibility

26. Lodden is identified in the JCS as a Key Service Centre, where development is generally supported. While located outside of the settlement boundary, the appeal site is in proximity to a number of services and facilities, including shops, schools, banks and other social facilities. I also note the public transport provision to other settlements, including the city of Norwich. I therefore recognise that the development would be accessible for future residents who would, in turn, support the use of such facilities.

Planning Balance

27. I recognise the benefits of the proposals, related to its accessibility to Loddon and the self-build nature of the development. The issue of brownfield land attracts little weight in favour of the development. However, I have found harm in respect of the character and appearance of the area and to the conservation area. I am also mindful that the Council says that it can demonstrate a significant housing land supply of 16.94 years.
28. Taking all of the above into account, on balance, I do not consider that the development would provide overriding benefits which would justify the development outside of the defined settlement boundary. The development would not therefore accord with DMP Policy 1.3 which seeks to secure sustainable development.

Conclusion

29. For the reasons given above, taking into account all other matters raised, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR