



Appeal Decision

Site visit made on 4 July 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 12 July 2017

Appeal Ref: APP/U2615/W/17/3168158

Land to the north of The Street, Runham, Great Yarmouth, Norfolk NR29 3AH

- 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 G Gay against the decision of Great Yarmouth Borough Council.
 - The application Ref 06/16/0276/F, dated 16 April 2016, was refused by notice dated 1 August 2016.
 - The development proposed is five dwellings, garaging, community space for bowling green, car park and new highway access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would amount to sustainable development having regard to the development plan and national policies.

Reasons

3. Policy CS02 of the Great Yarmouth Local Plan: Core Strategy (2015) (CS) states that growth within the Borough must be delivered in a sustainable manner by balancing the delivery of new homes with new jobs and service provision creating resilient self-contained communities and reducing the need to travel. Furthermore, to achieve this it states approximately 5% of new development will take place in secondary and tertiary villages.
4. The appeal site adjoins but is outside of the defined village development limit of Runham which is designated as a tertiary village. Saved Policy HOU10 of the Great Yarmouth Borough-wide Local Plan (2001) (LP) permits the erection of new dwellings outside of defined settlement boundaries if they are required in connection with either agriculture, forestry, organised recreation or the expansion of an existing institution.
5. I acknowledge that secondary and tertiary villages will need to accommodate a significant number of new homes over the plan period. However, the justification to Policy CS02 of the CS makes clear that village development limits will be amended through a subsequent development plan document and to accommodate new allocations. It also invites communities to prepare neighbourhood plans to accommodate new development. The level of growth

- to be accommodated in each secondary or tertiary village is not known and the requirement will be distributed in accordance with the aims of Policy CS02 and the overall aims of the development plan.
6. Saved Policy HOU10 remains part of the development plan and in accordance with the Inspectors findings in The Manor Barn appeal¹ I find that it is broadly consistent with the countryside protection aims of the National Planning Policy Framework (the Framework).
 7. The appeal scheme would provide three open market homes and two affordable homes in the countryside adjoining but outside of the village development limit. Those dwellings would not be connected with either agriculture, forestry or the expansion of an existing institution. There is nothing before me to indicate they would be connected to the proposed or existing bowling green. Thus the proposal is therefore in conflict with saved Policy HOU10 of the LP.
 8. I acknowledge the appeal site is close to a bus stop which links Runham to Gorleston and Great Yarmouth. However, this bus service is infrequent. Whilst there may be services and employment in nearby settlements the limited frequency of public transport and the lack of services such as schools or shops and employment in Runham means future occupants of the proposed dwellings would need to travel long distances and would be dependent on the private car for the majority of their journeys which is the least sustainable mode of transport. This would be in conflict with the aims of Policy CS02 of the CS and the promoting sustainable transport aims of the Framework.
 9. It is contested whether the Council is able to demonstrate a five year supply of deliverable housing land within the terms of paragraph 47 of the Framework. I have noted the Council's position statement² and the appellant's comments with regard to the sources of the Council's deliverable land supply and the age of the assessment. I also note that the Council has introduced an Interim Housing Land Supply Policy (IHLSP). However, overall, I find the evidence before me on the five year land supply position to be inconclusive.
 10. If the Council cannot identify a five year supply the proposal would need to be considered in accordance with the presumption in favour of sustainable development which means the Framework taken as a whole. Furthermore, in such circumstances additional weight would need to be afforded to the benefit of five dwellings and the weight to be afforded to the conflict with saved Policy HOU10 of the LP and Policy CS02 of the CS would be reduced.
 11. Even if so, paragraph 55 of the Framework encourages housing in rural areas where it will maintain or enhance the vitality of rural communities but requires isolated new homes in the countryside to be avoided. The proposed dwellings would not be isolated and would be delivered in the short term. The occupants might work locally and use local services as part of a wider network of communities. Thus there would be social benefits associated with housing provision and economic benefits in terms of new customers and employees for local businesses and there would also be economic benefits associated with construction.
 12. Furthermore, the proposed footpath would improve connectivity to the existing play area and the provision of an improved bowling facility would also have

¹ Appeal Reference APP/U2615/W/16/3160561

² Great Yarmouth Borough 5 Year Housing Land Supply Position Statement As at 1st April 2016

social benefits. However, whilst I also note the benefit of the provision of a public car park, the scale of these combined benefits are such that they would have a negligible impact on the vitality of the rural community. Thus, the vitality of the rural community would be at best maintained.

13. Thus, even if the Council cannot demonstrate a five year supply and I afford reduced weight to the conflict with saved Policy HOU10 of the LP and Policy CS02 of the CS and increased weight is afforded to the benefit of the provision of five dwellings including the added benefit of two affordable dwellings, when all of the benefits are combined they are significantly and demonstrably outweighed by the environmental harm I have identified as a result of lengthy journeys to access services and employment and the dependence on the private car for those journeys. Consequently, the proposal would not amount to sustainable development.

Other Matters

14. I note the appellant's intention to provide a planning obligation to secure the provision of the two proposed affordable dwellings. Even though there is no obligation is before me and irrespective of whether or not affordable housing should be provided, I have determined the appeal taking into account the benefit of two affordable homes. However, I have found the benefits do not outweigh the harm and thus I have not pursued matters relating to the planning obligation any further.
15. In reaching my conclusions I have also noted the positive comments from the Council's Strategic Planning Team, the letters in support of the proposal and note that the Council have raised no objection to the design of the proposed development. However, these matters do not outweigh the harm I have identified.
16. I have also considered the appellants assessment of the appeal scheme against the criteria set out in the IHLSP and note the Council has recently granted planning permission for developments outside of village development limits³ elsewhere. However, the IHLSP does not form part of the development plan and for the reasons given I do not agree that the proposed development would offer an accessible environment that offers convenient access to key facilities. Furthermore, the full details of the other cases are not before me and I have determined the appeal on its merits.

Conclusion

17. For the reasons set out above, on balance the proposal is in conflict with the development plan and does not amount to sustainable development as set out in the Framework. Thus having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

L Fleming

INSPECTOR

³ Council Reference 06/16/0295/F & 06/16/0472/O