

---

# Appeal Decision

Site visit made on 17 July 2017

**by Richard Schofield BA(Hons) MA MRTPI**

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

**Decision date: 3 August 2017**

---

**Appeal Ref: APP/K2610/W/17/3167976**

**Land adjacent to 32 Waterloo Road, Hainford, Norwich NR10 3AX**

- 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 Mrs Donna Bilyard against the decision of Broadland District Council.
  - The application Ref 20161823, dated 21 October 2016, was refused by notice dated 12 January 2017.
  - The development proposed is described as "*development of six 2 bedroom bungalows and one 1 bedroom bungalow, associated development and areas of biodiversity and for growing food*".
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether, having regard to the requirements of local planning policy for the delivery of housing, the appeal site is an appropriate location for the development proposed.

## Reasons

3. The Joint Core Strategy for Broadland, Norwich and South Norfolk (the JCS) sets out a spatial strategy for the distribution of development across the JCS area. JCS policy 16 identifies Hainford as an Other Village, where residential development will be accommodated as infill or small groups of development within defined development boundaries. The supporting text to the policy sets out a clear rationale for this approach, which is, in short, to ensure that rural development is situated in areas with the greatest levels of access to services and facilities.
4. This approach is supported by policy GC2 of the Broadland Development Management DPD, which also seeks to ensure that development is contained within established development boundaries, unless it accords with a specific allocation and/or other development plan policy. The appeal scheme does not.
5. It is not disputed that the appeal site is beyond the development boundary for Hainford. As such, the appeal scheme conflicts on its face with the adopted development plan and its approach to the location of new development.

6. My attention has been drawn to other planning permissions for residential development, granted on sites outside Hainford's development boundary. Most notable is the Chequer's Meadow development. Taken at face value, such examples appear to suggest that the Council has been somewhat inconsistent in its approach to Hainford's development boundary. I am not aware, however, of the specific circumstances surrounding the grant of permission for the dwellings cited, which appear to date back to 2014 and 2015.
7. Indeed, more recent appeal decisions have supported the Council's refusal of applications for residential development, including a previous application for the appeal site, beyond the development boundary, on the basis of Hainford's limited level of services and facilities. As such, I do not consider that the cited permissions can be regarded as setting any kind of 'in principle' acceptance of residential development beyond Hainford's development boundary.
8. I conclude, therefore, that having regard to the requirements of local planning policy for the delivery of housing, the appeal site is not an appropriate location for the development proposed. The proposal would conflict with JCS policy 16 and with policy GC2 of the Broadland Development Management DPD, the requirements of which are noted above.

### **Other Matters**

9. The appellant quotes at considerable length from a range of government publications in relation to housing need, older people's housing and electric vehicles. There is, however, nothing before me to suggest that the dwellings, even if meeting a need for bungalows, would be specifically restricted to occupation by older people. Nor is there any secure commitment from the appellant to provide electric vehicles. Even were the latter to be provided, there would be no means of compelling occupants to use such.
10. The demonstration of a five-year supply of deliverable housing sites, which the appellant accepts can be demonstrated by the Council, is not a cap on residential development. Nonetheless, one would typically expect proposals to be policy compliant, which the appeal scheme is not.
11. It may be that there are wider concerns about underprovision of housing across the JCS area when taken as a whole. The appeal proposal would make a modest contribution towards addressing this, and provide some limited economic and social benefit in relation to support for local services and employment. Even so, the appeal proposal's locational shortcomings are, in my judgment, of sufficient weight to override such benefits, particularly when the inference from the evidence before me is that the area in which the appeal scheme is situated has a very substantial forward supply.
12. It is suggested that the appeal site has no useful purpose. Just because a site has no development upon it, however, does not render it useless. In this case, it is an attractive part of the rural setting to the village.
13. In its appeal statement the Council raises the issue of a lack of planning contributions towards informal open space and formal recreational space (including play areas for children). The need for such appears to be recognised by the appellant, but there is no planning obligation before me to secure its provision. Had I been minded to grant planning permission, I would have

pursued this with the parties. As I am dismissing the appeal, however, there is no need for me to consider it further.

### **Conclusion**

14. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal proposal conflicts with the development plan when taken as a whole, that there is no weight of material considerations sufficient to override this conflict and, thus, that the appeal should be dismissed.

*Richard Schofield*

INSPECTOR