
Appeal Decision

Site visit made on 15 August 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 29 August 2017

Appeal Ref: APP/F2605/W/17/3172353

Former Reymerston Golf Club, Hingham Road, Reymerston, Norfolk NR9 4QQ

- 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 Development R2 Limited against the decision of Breckland District Council.
 - The application Ref 3PL/2016/1341/F, dated 3 November 2016, was refused by notice dated 22 December 2016.
 - The development proposed is erection of four detached single storey dwellings with garages.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) Whether the proposal would result in a sustainable pattern of development having regard to accessibility to services and facilities;
 - (b) The effect on the character and appearance of Reymerston and its rural setting; and
 - (c) The effect on protected species and nature conservation interests.

Reasons

Sustainability

3. The Council is unable to demonstrate a five-year Housing Land Supply (HLS) as required by paragraph 47 of the National Planning Policy Framework (Framework). The Council has produced a revised Strategic Housing Market Assessment 2017 (SHMA) which indicates a lower level of Objectively Assessed Need (OAN) for housing across the district than that assumed in the adopted Breckland Core Strategy and Development Control Policies Development Plan Document (2009) (CSDCP). As neither the SHMA nor OAN has been tested at a development plan examination the revised need assessment can be afforded limited weight at this stage. However, even using that revised OAN figure, the Council's best case assessment, as set out in its updated position statement as at 31 March 2017, is that there is a HLS of 4.6 years.

4. The updated position statement shows that the identifiable supply equates to between 2.4 and 2.8 years against the requirement set out in the CSDCP. The difference between these figures reflects the alternative methods for dealing with the identified shortfall of more than 2,400 units. The advice in Planning Practice Guidance is that the Sedgfield methodology should normally be adopted and I do not consider that local circumstances warrant an alternative approach. Accordingly, I find that 2.4 years supply is the more realistic assessment.
5. This assessment indicates a significant level of need for new housing in Breckland. The Council expresses confidence that adequate provision to meet projected needs will be made through the proposed new Local Plan for the period 2011-2036. This has recently been published as a pre-submission draft but, following the close of the consultation period in October, will need to be submitted to the Planning Inspectorate and be subject to an examination in public before it can be adopted. There will, therefore, be significant delay before any new land allocations are in place to help meet the current shortage in the HLS. Substantial weight must, accordingly, be given to that current shortage and the absence of a 5 year supply of deliverable sites.
6. Paragraph 49 of the Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant development plan policies for the supply of housing should not be considered up-to-date where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
7. Paragraph 14 states that, where relevant policies are out-of-date, planning permission should be granted unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.
8. The appeal site is not subject to any of the designations or policies given in Footnote 9 to the Framework as examples of policies that might give such an indication. Accordingly, the appeal proposal falls to be assessed against the tilted balance in favour of development set out in the first limb of this part of paragraph 14.
9. The appeal site is outside the built area of Reymerston which is effectively screened from the site by a substantial area of elevated and well vegetated land. This provides a clear physical separation between the two and, in the absence of any direct pedestrian links, the proposed development would be unlikely to have any functional relationship with the village.
10. Immediately to the south are a small number of large detached dwellings which were permitted as part of the redevelopment of buildings previously used in conjunction with the former golf course. Planning permission has also been granted for 15 single storey holiday homes on land to the east but the decision notice indicates that the permission for these is subject to a Section 106 Agreement restricting occupancy for holiday use only. None of the permissions granted to date establish the acceptability in principle of residential development on the appeal site. In this context, and given that of most of the

former golf course is now in agricultural use, the site should be regarded as being within the open countryside.

11. Reymerston has no shops or other facilities. Hingham, about 3.4 miles away, has a primary school and some local shops and services but the future residents of the development would likely have to travel to Dereham (some 5 miles away) for employment, secondary education and for many of their daily shopping and leisure needs. Bus services are infrequent and the walking distance from the site to the main road to catch a bus would act as a significant disincentive to anyone contemplating the use of public transport. The distances involved and the nature and speed of traffic on Hingham Road would also be likely to discourage the use of cycles to get to and from Dereham.
12. For these reasons the future residents would mainly be dependent on the use of a private car to meet most of their daily shopping and other needs. As four 3 bedroom properties are proposed this would result in the generation of a large number of journeys with many of these involving a round trip of around 7 miles or more. Significant environmental harm would flow from the increased number and length of journeys by private car and the proposal would not result in a sustainable pattern of development. Paragraph 55 of the Framework states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The proposal would fail to achieve that objective and would conflict with paragraph 55.
13. The site's location outside the settlement boundary places the proposal in conflict with Policies SS 1 and CP 14 of the Breckland Core Strategy and Development Control Policies Development Plan Document (2009) (CSDCP) which together seek to direct new development to more sustainable locations. Given the scale of the shortfall against the 5 year HLS, these policies should be regarded as being out-of-date and should be given limited weight.

Character and appearance

14. As replacements for buildings associated with the former golf course the new dwellings to the south have not added to the overall level of built development in the area. They stand in large plots surrounded by open space and are contained within a discrete area to the south of the shared access road. The aerial photographs in the appellant's Supplementary Landscape and Visual Appraisal clearly show the open character of the appeal site and the wider area of the former golf course. The proposed holiday units have not yet been commenced but the Council's evidence is that these would also be broken up into separate elements with significant open areas and landscaping in between.
15. I agree with the Council that the proposed layout in which the new dwellings would be more tightly spaced around a small cul-de-sac would result in a much more urban appearance that would not be in keeping with the existing dwellings to the south. The appeal site currently forms an open gap separating this small cluster of houses from Reymerston village and its development as proposed would represent a significant intrusion into the rural landscape and encroachment into the open countryside.
16. The shared access serves as a public footpath linking Hingham Road with Southborough Road to the south. The detrimental effect on the open character of the site and on its contribution to the rural setting of the village would be

readily apparent to users of that footpath as they travel in either direction. Although it may have limited effect in the wider landscape the proposal would have a significant adverse impact on the open landscape within the former golf course and on the rural setting of the village.

17. I therefore find that the proposal conflicts with CSDCP Policy CP 11, which seeks that the landscape should be protected for its own intrinsic beauty and its benefit to rural character, and with DC 16 which requires that development should preserve or enhance the existing character of the area. The proposal also conflicts with one of the core planning principles in paragraph 17 of the Framework which states that planning should take account of the different roles and character of different areas and should recognise the intrinsic character and beauty of the countryside.

Nature conservation

18. Part of the site comprises open grassland and much of the area formerly used as a car park has been subject to natural revegetation. The site adjoins other areas of grassland and an area of extensively vegetated land between the site and the village. There are also areas of woodland and substantial hedgerows and trees in close proximity. There is clear potential for the site and its immediate surroundings to have nature conservation value but no survey or assessment was submitted with the planning application.
19. A Preliminary Ecological Appraisal has subsequently been carried out but that report was not available to the Council at the time of its decision. Although this was submitted with the appeal it has not been reviewed by the Council's ecologist and I have no indication as to whether the Council accepts or disputes its findings. In those circumstances I am unable to give that appraisal any significant weight.
20. I find that the appellant has not demonstrated that the proposal would not have an unacceptable effect on biodiversity or on any protected species or their habitats and I am unable to conclude that the requirements of the Habitats Directive can be satisfied. I therefore find that the proposal conflicts with CSDCP Policy CP 10, which seeks to enhance biodiversity and ensure the protection of protected species and their habitats, and with CP 11 which states that the landscape of the District will be protected in the interests of biodiversity. The proposal also conflicts with policies in section 11 of the Framework aimed at conserving and enhancing the natural environment.

Other Matters

21. That part of the appeal site which has been used as a construction compound will presumably be cleared and reinstated to its former condition when the construction works have been completed. Although a gravel surface remains across other parts much of the site has been subject to natural revegetation and its former use is apparent only in close up views. I agree that there would be some limited benefit in a more general tidying of the site but do not accept that this could only be achieved by its development for housing. Accordingly, I give minimal weight to this claimed environmental benefit.
22. The proposal would add four new houses to the range and choice of homes available in the area and make a small but nonetheless valuable contribution to housing supply. In light of the absence of a 5 year HLS and the scale of the

shortfall significant weight should be given to that social benefit. The proposal would also provide economic benefits in terms of the investment and employment involved in its construction and the expenditure that would be made by its future residents in shops and services. I consider these to be of moderate weight.

Conclusions

23. I find that the proposal would result in an unsustainable pattern of development and would cause significant harm in terms of the additional car journeys that would be generated and to the character and appearance of the area. There is also a risk of significant harm to biodiversity and protected species. Notwithstanding the level of housing need I consider that these adverse impacts would significantly and demonstrably outweigh the benefits listed above. Having regard to the conflict with the Framework and taking account of its policies as a whole, the proposal does not benefit from the presumption in favour of development set out in paragraph 14 of the Framework and would not constitute sustainable development.
24. In light of that material consideration and the conflict with the development plan I conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR