



Appeal Decision

Site visit made on 15 August 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 4th September 2017

Appeal Ref: APP/F2605/W/17/3172795

Land at Waters Edge, Mere Road, Stow Bedon, Attleborough

- 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 Dr and Mrs Ackerman against the decision of Breckland District Council.
 - The application Ref 3PL/2017/0018/F, dated 6 January 2017, was refused by notice dated 2 March 2017.
 - The development proposed is three detached single storey dwellings with integral garages.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council refer to an emerging local plan but as this appears to be at a formative stage I have not therefore given it any weight.

Main Issues

3. The main issues are:
 - Whether the proposal would provide a suitable site for housing, having regard to settlement strategy, the proximity of services and reliance on car based journeys.
 - The effect of the proposal on the character and appearance of the area.

Reasons

Policy context

4. The development plan includes the Breckland Core Strategy and Development Control Policies Development Plan Document 2001-2026, adopted in 2009 ('CS'). Stow Bedon is classified as a rural settlement through Policy SS1, the spatial strategy which seeks to concentrate development within settlements and to restrict development outside. These villages contain limited services and facilities which the spatial strategy states are not capable of supporting consequential growth as they rely on higher order settlements for the majority of these services and facilities.
5. Policy CP14 of the CS provides more detail in relation to rural communities, allowing a scale of development reflective of the need to maintain the vitality of

smaller villages and rural communities with the boundaries of the settlements to be reviewed to focus development in sustainable locations and protect the character of the settlement.

6. The Statement of Five Year Housing land Supply published July 2017 clearly states that regardless of the methodology used the Council cannot demonstrate a five year housing land supply. In such cases paragraph 14 of the National Planning Policy Framework ('the Framework') states (unless material considerations indicate otherwise) that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted. I have determined the appeal on this basis.

Suitable site

7. The proposal lies opposite the settlement boundary but it is within the countryside for development plan purposes and none of the dwellings are to be affordable. Nor would it meet any of the other exceptions set out in Policy CP14 and consequently, there would be conflict with this policy and Policy DC2 of the CS which seeks to ensure that development in these locations is contained within settlement boundaries, as defined on the accompanying Proposals Map.
8. Furthermore, it was evident from my site visit that Stow Bedon was little more than a small ribbon development of housing in a rural location and with infrequent public transport, a point which the appellant does not dispute¹. The Framework advises that all aspects of sustainability should be considered in planning decisions, that local circumstances should be taken into account (paragraphs 9 and 10), and that opportunities to maximise sustainable transport solutions will vary from urban to rural areas (paragraph 29).
9. However, the nearest service centre is approximately 5 miles away with some limited services available in Rocklands, some 3 miles away. I do not consider that such distances are necessarily short and the likely trips generated from 3 dwellings would not be insignificant. Future residents would have little choice other than to be heavily reliant on car based journeys rather than more sustainable modes of transport for trips to and from shops, school, work, health, leisure and other day to day services and facilities further afield. Furthermore, I have no meaningful evidence to suggest that the proposal would enhance or maintain the vitality of rural communities. Despite the presence of other development within the vicinity of the appeal site the proposal would be in a functionally isolated location.
10. For these reasons, the proposal would not be a suitable site for housing in terms of the settlement strategy, proximity of services and reliance on car based journeys. It would conflict with Policies SS1, CP14 and DC2 of the CS which, when taken as a whole, seek to achieve sustainable rural communities through a balanced distribution of housing, integrated with existing or proposed transport infrastructure that ensures a choice of transportation methods.
11. Although the blanket protection of the countryside is not supported by the Framework, I find that the policies are broadly consistent with it. It would conflict with the principle (included in paragraph 17) of actively managing

¹ Paragraph 7.9 of Appellant's statement.

patterns of growth to make the fullest use of public transport, walking and cycling and avoiding isolated homes and locating housing where it will enhance or maintain the vitality of rural communities.

Character and appearance

12. The appeal site is formed by 2 grassed paddocks located on either side of a driveway that serves Waters Edge and Mere Cottage and fronts onto Mere Road. The site is free from development and is bordered by a mature hedgerow at its frontage. The southern side of Mere Road has a much less developed character, with groups of smaller detached dwellings in linear clusters set out along Mere Road. No. 21 Mere Road is clearly identifiable as the last property of such a group before the appeal site and on the other side lies The Mere, a large area of mature woodland.
13. When travelling along Mere Road there is a clear sense and perception of this, with open and wooded views on both sides of the road. In combination with the openness and spaciousness of the site it has a stronger affinity with the countryside that surrounds it than any existing development.
14. I acknowledge that any harm to the wider landscape would be minimal. However, closer to the appeal site by virtue of its extensive, undeveloped and open character and despite the buildings being single storey and the use of sympathetic materials, the dwellings would be of a substantial width and depth given their form and would be clearly conspicuous on the approach from both directions.
15. Three dwellings of a linear form and sited close to one another would intrude into open countryside, infilling a large part of this established rural gap, regardless of the fact that the site may once have been screened by Leylandii. To my mind, this would result in a harmful alteration to the character and appearance of the appeal site and the area especially when viewed from Mere Road and would represent an intensification of built form in an area where such openness contributes positively to the locally distinctive settlement pattern. I do not consider that this effect would be mitigated by additional landscaping, given the amount of time any such scheme would take to mature to have any effect or by the single storey form of the buildings.
16. For these reasons, the proposal would conflict with Policy CP11 of the CS which seeks to protect and enhance the landscape of the District and that all development is of the highest quality design in terms of both architecture and landscape and contribute to a sense of local distinctiveness. The proposal would also conflict with the principle (included in paragraph 17) that the intrinsic character and beauty of the countryside should be recognised.

Other Matters

17. My attention has been drawn to a recent approval for a single dwelling that the appellant contends is similar to the proposal before me². However, this would appear to be adjacent to an existing residential property and within its curtilage. I also note that the Council drew different conclusions in terms of the effect of that proposal in terms of character and appearance, given its location and siting. Consequently, I do not consider that it is directly comparable to the

² LPA ref: 3PL/2016/0787/F

appeal proposal before me and in any event each case must be considered on its own merits.

Planning balance and overall conclusion

18. I give little weight to the economic benefits of construction jobs and the additional patronage of rural services during construction, given their short term nature. In social terms 3 dwellings would provide additional housing in an area with an acknowledged under supply, although there is little substantive evidence before me that it would meet any particular local need or provide any meaningful support for the rural community.
19. Set against this, the proposal would conflict with the CS in that it would not be a suitable site for housing in terms of the adopted settlement strategy, proximity to services and reliance on private car journeys. I have also found harm to the character and appearance of the area and the proposal would fail to fulfil the environmental role of sustainable development. The weight given to Policies SS1, CP14 and DC2 is less than full given the housing land supply situation but I have found that when taken as a whole, they are broadly consistent with the sustainability objectives of the Framework and I afford them significant weight.
20. The Council contend that they have a housing land supply of either 4.6 or 4.0 years supply set against the Objectively Assessed Need ('OAN') depending on whether the Liverpool or Sedgefield method of calculation is used. This is reduced to 2.8 or 2.4 set against the adopted CS target. Although the Council contend the OAN target and Liverpool methodology is more appropriate³ I find that on the evidence before me I am unable to reach a definitive conclusion in relation to the extent of the shortfall. Taking everything together, even if I were to conclude that the shortfall is 2.4 years the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole. As such the proposal would not represent sustainable development.
21. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

³ Given the reliance in the adopted settlement strategy on 2 large Sustainable Urban Extensions.