
Appeal Decision

Site visit made on 9 August 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 11 September 2017

Appeal Ref: APP/Y2620/W/17/3167956

Grove Farm, Field Dalling Road, Langham, Holt NR25 7BU

- 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 Sam Phelps on behalf of Grove Farm Partnership against the decision of North Norfolk District Council.
 - The application Ref PF/16/1157, dated 10 August 2016, was refused by notice dated 30 November 2016.
 - The development proposed is the use of land to site 3 shepherds' huts for holiday use and parking spaces, erection of utility shed, installation of package treatment plant, 3000 litre water bowser and creation of a new access track.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development as it is shown on the planning application and appeal forms is not sufficiently precise to identify the proposed development. I have therefore taken the description as it appears on the Council's decision notice. The appellant has not objected to my use of this description and as such I have proceeded on this basis.

Main Issues

3. There are two main issues. These are a) the principle of the proposed development with specific regard to its nature and location and b) the effect of the proposed development on the character and appearance of the area with specific regard to the Undeveloped Coast (UC) and the Norfolk Coast Area of Outstanding Natural Beauty (NCAONB).

Reasons

Principle of Development

4. The appeal site is in the open countryside to the north of Langham village. It is part of two distinct parcels of land, one a small but densely planted area of woodland and the other a more open and substantial field. It is accessed via a winding narrow single width unsurfaced track from the nearest main road. The proposed development would comprise three Shepherd Hut style buildings that would provide self-contained and self-catering holiday accommodation. The huts would be located adjacent to the wooded area in the open field. An

extension to the existing access, vehicular parking and ancillary facilities would be located in cleared areas of the woodland.

5. Given the location of the appeal site, the proposed development would be remote. This would not only be in terms of its geographical proximity to any other form of tourist accommodation but also from any services on which occupiers would rely for day to day living and attractions/sights that they may want to visit. The proposed huts would be accessed via the existing track which is an unlit off road route running up a slight incline. I have not been advised of any usable or practical public rights of way network nor public transport options that would link the huts with any other populated area. Langham itself is a small settlement which lacks a range of supportive services to new development.
6. I acknowledge the appellant's contention that the proposed development would encourage occupiers to walk and cycle locally but given the remoteness of the appeal site, the length and condition of the access track and the lack of alternative travel options I cannot see, realistically, that occupiers would not opt for the use of the private car. The huts would be self-catered and depending on the length of stay people would require additional provisions at regular intervals. The inclusion of 'welcome hampers' would not sufficiently mitigate my concern in this regard which would be an inherently difficult matter to enforce through a planning permission in any event.
7. The use of the private car is the least sustainable travel option and whilst there would be multiple occupiers of the huts throughout the holiday season, the nature of the occupation would be very much the same as a residential dwelling. This aligns with the approach set out by Policy EC 7 of the Core Strategy¹ and the assertions of the Framework² with which the proposed development would conflict for the reasons I have set out above. These approaches seek to encourage sustainable patterns of new development, directing it towards those areas that have the capacity to absorb it and restrict it in those areas that do not. For the same reasons, the proposed development would conflict with the aims of Core Strategy Policies SS 2 and EC 10 and consequently the principle of it would be unacceptable.

Character and Appearance

8. The appeal site is part of the SCAONB and an area defined as UC in the development plan. I have limited evidence before me pertaining to what makes these areas particularly significant but where the huts would be located is wide, open, expansive and largely undeveloped which in the main contributes positively to the character and appearance of the area. Views of where the expansive and open land extends to the north Norfolk coastline are available from the appeal site which would also be visible itself due to its open character and width of the local landscape more generally.
9. The infrastructure and ancillary elements of the proposed development would be largely obscured courtesy of the aforementioned woodland but the siting of the huts outside of this area would make them prominent features for the above reasons. I acknowledge that historically buildings of the type proposed may have been typical of rural areas but the appeal scheme would result in a

¹ North Norfolk Local Development Framework Core Strategy Incorporating Development Control Policies 2008

² The National Planning Policy Framework 2012

fundamentally different effect on the character and appearance of the area that they previously would. Specifically, the structured and formal siting of them and how they function would exacerbate their visual effect which would remain as the introduction of new permanent buildings into the open and undeveloped countryside.

10. The countryside is, in the case of the appeal site's surroundings, designated as an AONB for its own intrinsic natural beauty and largely unspoilt appearance. There is no compelling evidence before me to argue convincingly that the proposed development would need to be there.
11. For these reasons therefore, the proposed development would be harmful to the character and appearance of the AONB and introduce unjustified development to the UC. This would result in conflict with Policies EN 1, EN 2 and EN 3 of the Core Strategy. These policies, amongst other things and along with the Framework, seek to protect the countryside and designated sites from damaging and visually intrusive new development for their own sake and intrinsic beauty.

Other Matters

12. I accept that the proposed huts would not be, by definition, caravans. Their appearance would be distinctly different. In terms of what they would provide however, and specifically how they would function, their use would be very similar. Specifically this would be a self-contained unit of accommodation occupied on a seasonal basis. I am therefore content to treat them, for planning policy purposes, as being one and the same thing.
13. There is also debate between the Council and the appellant with regard to whether or not they would be serviced or un-serviced accommodation for the purposes of planning policy. I am inclined to agree with the Council that they would fall into the latter category. The reason for this, welcome baskets aside, is that they would be remotely located from any form of support in the form of an office, reception or facilities outside of the walls of the hut. They would be occupied independently of any other function.
14. The appellant has stated that they would explore locating the huts within the wooded area which would no doubt reduce their visual effect. The Council confirm this was discussed at the time the planning application was considered. I have no amended plans to this effect before me however and as such I am unable to apportion this position much weight. In any event, a reduction in the visual effect of the proposed development would not be sufficient to overcome my concerns in respect of its principle as I have assessed it above.

Conclusion

15. For the reasons set out above, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR