The Planning Inspectorate

Appeal Decision

Site visit made on 23 January 2019

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 March 2019

Appeal Ref: APP/K2610/W/18/3207888
Land west of Salhouse Road, Little Plumstead, Norwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Glavenhill Strategic Land (Number 12) Ltd against the decision of Broadland District Council.
- The application Ref 20172209, dated 20 December 2017, was refused by notice dated 13 July 2018.
- The development proposed is 84 dwellings with access details (main access only) included and all other matters reserved.

Decision

1. The appeal is dismissed.

Main Issues

2. There are two main issues. These are a) whether the appeal site is an appropriate location for new housing having regard to the development plan and sustainable patterns of new development; and b) the effect of the proposed development on the character and appearance of the area.

Reasons

Appropriate Location

3. The appeal site is outside but directly abutting the edge of Little Plumstead as it is defined by the relevant proposals map and supported by Policy GC2 of the Development Management DPD 2015 (DMDPD). In planning terms therefore it is in the countryside. As a consequence of it falling outside of a defined settlement, the proposed development would be contrary to this policy. There would be some harm arising from the conflict with the development plan.

4. The two settlements of Great and Little Plumstead are listed together as service villages in Policy 15 of the Joint Core Strategy[1] (JCS). They are relatively compact and between them offer a limited range of services. Residents are supported by a pre and primary school, a public house and church as well as community and recreational facilities. The limited range of services supports Policy 15s supposition that service villages can accommodate equally limited development and suggests allocations of 10-20 dwellings. The appeal scheme

[1] Greater Norwich Development Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk, as amended 2014.

would deliver an amount of dwellings far in excess of this. It would appear to be the case therefore that there would also be some conflict with this policy.

5. The Council's evidence suggests that the two villages are connected by a shared use footway and cycleway. There is a bus stop a short and arguably walking distance away from the appeal site which links the village to Norwich. The appellant's evidence suggests that this is served by a single route running hourly Monday to Friday as well as some services being available at weekends.

6. It seems clear that there are some services available to incumbent residents but given their breadth it is more likely the case that both they and future occupiers of the proposed development would have to travel to access retail services, employment, healthcare and higher education. The scale of the proposed development would lead me to conclude that such journeys would be of a high number both when looked at in isolation and in the context of the size of the existing village. As I have explained, there do appear to be sustainable travel options available if limited but matters such as the length and quality of the shared foot and cycle way and the frequency of the bus services would mean it is more likely that new journeys arising out of the proposed development would be by means of the private car.

7. With this in mind, it strikes me that the development of the appeal site, at the scale proposed, would serve to promote unsustainable patterns thereof which would be contrary to the general thrust of the Framework[2] in this regard and Policies 1 and 6 of the JCS insofar as it would not reduce the need to travel or concentrate development close to essential services and facilities. There would be further harm arising from this in the case of both the promotion of unsustainable patterns of new development as well as subsequent conflict with the development plan.

Character and Appearance

8. The appeal site is for its most part an agricultural field laid partly to grass. It is open and undeveloped, sitting effectively to the north of the main body of Little Plumstead. It is flat for the majority, rising to a higher banked level at its north western corner. There is some built development to the north in the form of ribbon frontage housing facing Norwich Road. Boundary treatment is mainly managed hedges with some trees scattered around the edges of residential curtilages.

9. The open field has an intrinsic attractiveness albeit it is far from significant in landscape terms. Nonetheless it reinforces the rural hinterland in which the village is located and rural nature of the district more generally. The immediate area has a far from urban quality despite the higher density of development to the south.

10. The appeal scheme would see some form of encroachment into a currently undeveloped area but the indicative layout and the scale of the proposed development would seek to reflect the village like density of existing development to the south. By virtue of the encroachment I have mentioned and the loss of what is an attractive open space forming the setting of the village there would be some harm arising out of the proposed development in regard to this main issue. The harm would be tempered by the other factors I

[2] The National Planning Policy Framework 2018

have mentioned. Nevertheless, it would result in conflict with Policies 1 and 2 of the JCS and Policies GC4 and EN2 of the DMDPD which seek to ensure that new development protects environmental assets, has regard to the characteristics of the area, landscapes and promotes high quality and contextually appropriate design and appearance, respecting local distinctiveness. These aims are also reflected by the Plumstead Neighbourhood Plan 2015 (NP) Policy 2 with which, for similar reasons, there would also be conflict.

Housing Land Supply and the Planning Balance

11. The position as of the publication of the Greater Norwich Area Housing Land Supply Assessment (part of the Annual Monitoring Report) in 2017 set out that, against the JCS requirement, there was a supply of housing sites between four and five years. This is below the requirement of the Framework which requires a minimum of five years plus a requisite buffer. Following this, and having regard to evidence set out by an updated Strategic Housing Market Assessment (SHMA) the Council suggested there was support to conclude that they would be able to demonstrate a supply of over eight years. This was based on an Objectively Assessed Need (OAN) for new housing between 2015 and 2036 using evidence which superseded that which underpinned the JCS requirement. The Council state that the evidence supporting the SHMA figures is credible and up to date.

12. My attention has been drawn to my colleague's decision in respect of land at Racecourse Plantations, reference APP/K2610/W/17/3188235 which was issued on the 30th January this year. As part of the inquiry proceedings it was an agreed matter that the Council were unable to demonstrate the required supply of housing sites and in her findings my colleague does not divert from this albeit she recognises that the SHMA was a good starting point going forwards.

13. Whilst I agree that the SHMA gives arguably as accurate an indication as is reasonably possible as to the current situation in the area with regards housing supply the evidence in the most recent SHMA has yet to be tested in detail such that it would be sufficient to rely on for the purposes of establishing definitively that the Council can demonstrate the required supply of housing sites. Having regard in part to the above. In addition, the requirement set out in the JCS turned five years old in January 2019, prior to the issuing of this decision. It is therefore unclear at this stage as to whether or not it would need updating which would require the use of the standard methodology for housing need as set out by the 2018 iteration of the Framework. The Council set out in their evidence that, with the requirements for the use of the standard methodology in mind, a new housing land supply assessment will be published in 2019. At this time, I am unaware of the outcome of that assessment.

14. The results of the housing delivery test were published on the 19th February 2019. They show that Broadland, as part of the partnership of other Norfolk Council's, can demonstrate a delivery of housing over the last three years in excess of the Framework's requirement (75%). It shows the partnership is performing well in this regard. However, this is a means to identify current performance on delivery measured over the last three years and does not confirm that they are able to demonstrate the required supply of housing sites.

15. With the above in mind, it strikes me as more likely than not that the Council cannot demonstrate the required supply of housing sites having regard to the

evidence before me in this particular case, taking the supply as it exists against the JCS requirement since that is the adopted development plan position. As my colleague in the case of Racecourse Plantations correctly identified this is in a state of flux and there are likely going to be implications for the SHMA which will feed into the emerging Greater Norwich Local Plan but for the time being, and based on the strength of the evidence at this time, my conclusions on the most likely position regarding the Council's housing supply has not changed.

16. Engaging the so called tilted balance of paragraph 11 of the Framework therefore and treating the most important policies accordingly, I am required to consider whether the adverse impacts of granting a planning permission for the proposed development would significantly and demonstrably outweigh the benefits.

17. I have set out the adverse impacts above. These are the fact that the proposed development would give rise to environmental harms in the shape of promoting unsustainable patterns of development and there would also be some harm to the character and appearance of the area. This planning harm in itself would not reduce in a paragraph 11 situation albeit that the weight attributed to affected policies (GC2 of the DMDPD and 15 of the JCS since they seek to constrain housing and thus would not accord with the Framework's commitment to boosting significantly its supply) may reduce accordingly. There are other policies which are important to the determination of the scheme to which weight would not be reduced since they broadly accord with the direction of the Framework. These are those in relation to reducing the need to travel, promoting sustainable patterns of development and more generally themed design and character related policies. There is still therefore a degree of harm arising from conflict with policies not so affected by a paragraph 11 situation.

18. There would be benefits to the proposed development. It would deliver housing of a not insignificant number which would assist the Council's supply. It would also deliver affordable housing. These would be substantial social benefits. The evidence suggests that the proposal also has the capability to deliver a number of self build plots in accordance with the Council's requirements under the Custom Housebuilding Act 2015. It does not seem to be the case however that the Council is in a specific need or undersupply situation in this regard so I attach a small amount of weight to this benefit. Whilst positive, I do not consider that the provision of open space is a benefit since it responds to an impact arising out of the appeal scheme.

19. The scheme seeks to deliver local highway improvements. Specifically in the shape of a new four arm roundabout to the current junction of Salhouse Road, Honeycombe Road, Belt Road and Norwich Road. The evidence suggests that this junction has substandard visibility due to the alignment of the four roads relative to each other. A fact which, on my own observations on site, is exacerbated by the local topography and placement of 30mph limit signs relative to the junction. There appears to be a history of accidents at the junction and the provision of an improvement to the existing situation is an aspiration of the NP.

20. The Council recognise that, to some extent, the weight that can be attributed to this benefit would be reduced given that there is an argument to suggest that it too would be needed due to the impacts arising out of the appeal

scheme. To some extent this is true but it nonetheless remains that there is a known highways problem in the area which has the capability to be improved. In essence, there are wider public safety benefits that require due consideration. I am also mindful that the scale of the scheme has been tested in viability terms and it appears a lesser scale of development would not be able to stand the cost. Equally, it seems reasonably clear that without substantial investment of some kind, a suitable roundabout might not be able to come forward.

21. Against this however I am also considerate of the fact that whilst the roundabout would result in an improvement, I am not aware on the strength of what is before me as to whether there is another, perhaps less costly, option that has the capability to bring about safety improvements at the junction. In effect such that would mean the roundabout suggested on the proposed plans is the only solution to the problem. Whilst it no doubt has been assessed and found to be a worthy option. I am unsure as to whether it is the only option. I am minded therefore to attach some weight to this as a benefit but perhaps not so much to make this matter determinative.

22. In any event, the planning obligation that accompanies the appeal scheme seeks to secure the required affordable housing as well as the open space and the aforementioned provision of self build plots. There is no place in the obligation to secure funding for the highways improvements and there appear to be problems delivering it through the Community Infrastructure Levy regime according to the Council's evidence. In essence, and bar its inclusion on any plans that may be approved, there does not appear to be a sufficiently robust mechanism before me for me to be able to be satisfied that the improvements would definitely be delivered in a realistically enforceable way. This therefore reduces the weight that I can attach to this benefit even further.

23. I appreciate that there is a national housing shortage but this does not mean development at all costs. The housing and affordable housing this scheme would deliver would no doubt be beneficial and there are other associated economic benefits that come with a general increase in population. But to my mind it should still be delivered in the right place and for the reasons I have set out, mainly those arising out of the scale of the proposed development when added to the totality of the other harms I have found that also result in conflict with the development plan the appeal site would not be it. In this case therefore, and on the basis of the evidence before me, the adverse impacts of granting a planning permission for the proposed development would significantly and demonstrably outweigh the benefits. As a consequence, the appeal scheme would not be sustainable development for which the presumption in favour applies.

Other Matters

24. The Council considers that the site has the potential to affect the integrity of a number of European designated habitat sites as a result of increased recreational pressures. The parties disagree as to whether an appropriate assessment is required and refer to the context of paragraph 177 of the Framework in this regard. Whilst the appellant has provided what is described as a shadow habitats regulation assessment, this incorporates a Stage 1 screening and its findings are subject to objection from both the Council and Natural England. A full appropriate assessment has not been provided.

However, given my conclusions on the main issues in this case, along with my decision to dismiss the appeal even in light of the tilted balance set out at paragraph 11 of the Framework, and since it would not affect my overall decision, it has not been necessary for me to consider this matter further.

Conclusion

25. For the reasons I have set out above, and whilst having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR