



Appeal Decision

Site visit made on 24 June 2019

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th August 2019

Appeal Ref: APP/L2630/W/19/3227918

Land adjacent Park View, New Road, Bawburgh, Norwich NR9 3LZ

- 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 D Greengrass against the decision of South Norfolk District Council.
 - The application Ref 2018/2368, dated 25 October 2018, was refused by notice dated 30 January 2019.
 - The development proposed is erection of 1 No. self-build dwelling with associated parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

1. The Procedural Guide Planning Appeals – England states that *only the person who made the planning application can make an appeal*. In this case, the appeal was lodged by Mr Richard Greengrass. The applicant subsequently provided clarification in writing that they are the same person. Nevertheless, as the appeal cannot technically be transferred to another person, it must continue in the original name of the applicant. I have therefore considered the appeal on this basis.
2. Appeal decision (Ref: APP/LP2630/W/15/3033684) is directly relevant to the site and the evidence of the main parties. Moreover, the appeal site, its environs and the substance of the appeal scheme before me are broadly the same. Thus, the previous appeal decision is a material consideration of significant weight in my deliberations as like applications should be considered in a like manner.
3. I have been provided with copies of the relevant adopted Development Plan¹ (DP) policies referred to by the local planning authority (the LPA) in their determination of the planning application. I have taken these into account in so far as they are relevant to the consideration of the main issues identified by the parties in their evidence.
4. The National Planning Policy Framework (the Framework) has been revised twice since the aforementioned appeal, the latest being in February 2019. I have taken the latest revised Framework into account as part of the

¹ The Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) and the South Norfolk Local Plan Development Management Policies Document (2015).

determination of this appeal and the revisions do not alter the policies upon which this appeal turns.

Main Issues

5. The main issues are:

- whether the site is a suitable location for housing; and
- whether there is a suitable supply of housing in the district.

Reasons

Location of the development

6. The site is situated within an area of countryside beyond the settlement boundary for Bawburgh. The policies relevant to the area in the DP were adopted in 2014 and 2015 so the main parties have referred to whether they are out-of-date. Paragraphs 47 and 213 of the Framework are clear that due weight should be given to policies in the Development Plan according to their degree of consistency with the Framework. The former also provides a stipulation that this is unless material considerations indicate otherwise and the Framework is a material consideration.
7. The use of settlement boundaries or development limits are not cited in the revised Framework or in the Planning Practice Guidance. However, this does not necessarily mean that these policies are inconsistent with them, particularly where their aim is to direct development to the right places.
8. In order to promote sustainable development in rural areas, Paragraph 78 of the Framework states that housing should be located where it will enhance or maintain the vitality of rural communities. The development of isolated homes in the countryside is referred to in Paragraph 79. Together these reinforce the three overarching and mutually supportive objectives of sustainability outlined in the Framework (Paragraph 8).
9. In this case, there would be benefits to the social and economic objectives of sustainable development through the initial construction of a further dwelling within the locality of Bawburgh and subsequent investment into the local community. However, the scale of the development would determine that these benefits would not be significant in terms of their overall contribution to sustaining facilities and services or enhancing social cohesion.
10. While the inclusion of defined boundaries to settlements provides protection to the pattern of development, being situated elsewhere does not necessarily mean that development is contrary to these objectives. Moreover, along with the environmental objective of sustainability, these objectives seek to direct development to the right places, accessible to facilities and services and that will minimise waste and pollution and use of natural resources.
11. The previous Inspector considered that the appeal site would be isolated in the context of the Framework. I do not share that view having regard to the decision handed down by the Court of Appeal² in respect of the meaning of the word *isolated* in the phrasing *new isolated homes in the countryside*. This is now referred to in Paragraph 79 of the Framework.

² *Braintree DC v SSCLG* [2018] EWCA Civ. 610 Case No: C1/2017/3292

12. However, the site is some distance away from Bawburgh and Norwich and there are a limited range of facilities and services in Bawburgh. These would not exclusively sustain everyday needs of any future residents of the site. For those needs a resident would need to travel further. The Bowthorpe area of Norwich includes a greater range of facilities and services. Access on foot or by bicycle would require passage along New Road. This is a reasonably well trafficked narrow country lane that does not incorporate pavements or street lighting and operates with national speed limits for the majority of its length. There are bus services available within Bawburgh but I have not been provided with details as to whether frequent daily services are available. Nonetheless, passage to access Bawburgh is identical to the route towards Norwich.
13. The appellant has referred to a development of ten dwellings on land south of the Village Hall, at Stocks Hill in Bawburgh. The appellant argues that the ten dwellings would each create additional car journeys but the location of the development was considered to be sustainable by the Council when permission was granted. The circumstances behind that decision are not before me to determine what similarity, if any, that development has to this appeal. In any event, it is a different site and the circumstances are likely to be different. As such, I have determined this appeal on its own individual merits.
14. The opportunities to walk or cycle from the appeal site to the services and facilities available nearby are not convenient ones. The occupants of the development would therefore be highly likely to be required to travel by private motorised transport on a regular basis to access education, retail, employment and healthcare.
15. Existing residents of New Road living close by may also already choose to make such journeys and these may be undertaken by low emissions vehicles. Paragraph 103 of the Framework suggests that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Nonetheless, increasing the number of dwellings in this location would increase the need to travel by private motorised transport which is the least sustainable travel option available. This would create additional pollution and wastage of natural resources.
16. The environmental objective of sustainable development also includes the protection and enhancement of natural and built environments. The area surrounding the site incorporates a small cluster of dwellings primarily to the north of New Road. These have a relatively close relationship with New Road and are set within spacious grounds that are primarily enclosed to the road frontage by mature landscaping. This softens or fully intervenes in views of built development. This relationship makes a significantly positive contribution to the character and appearance of the area.
17. The layout of the development is in a manner consistent with the established grain of development which would ensure that the spacious and landscaped character of the area remains intact. Taken together, the policies in the Framework and DP³ seek to ensure that new development protects and enhances local distinctiveness and successfully integrates into its surroundings, including local landscaped character and setting and the wider countryside and

³ Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) and Policies DM1.4(d), DM3.8 and DM4.5 of the South Norfolk Local Plan Development Management Policies Document (2015).

river valleys. These policies would not therefore be offended by the development.

18. The appellant has advanced a case that the proposal would be a self-build project that allows him, as a long-term resident, to remain in the area in independent accommodation. It is also suggested that the proposals would help the Council to meet their demand for such development in the District. There is support in the Framework (Paragraph 61), as this requires that planning policies should reflect the needs of people wishing to commission or build their own homes. I have not however, been provided with any substantive evidence to demonstrate that the appellant is at risk of being made homeless; that there is a shortage of alternative accommodation in the area; that local policies have not been applied to the development; or that no land is allocated or consented for self-build dwellings in the locality. In addition, I have also not been provided with any legal mechanism, such as a planning obligation, to guarantee that the dwelling would be a self-build project as promoted by the appellant.
19. Consequently, whilst the appellant may be a self-builder, I only give very limited weight to such personal circumstances in this instance given the lack of substantive evidence to support the case. Furthermore, to my mind, meeting the locational needs of a self-builder should not necessarily be at the expense of the sustainable development objectives of the DP or the Framework.
20. Having regard to the very specific circumstances of this case, I have arrived at a similar conclusion to the Inspector for the previous appeal⁴ for the development of this site but not in so far as the site being isolated. Moreover, the benefits brought to bear in respect of the economic and social sustainability of the development would not be significant. The absence of harm to the character and appearance of the area would also have a neutral effect. The benefits would not therefore outweigh the adverse effects associated with allowing this development.
21. Consequently, I conclude that the site would not be a suitable location for housing. It would not therefore accord with Policies DM1.3 and DM3.10 of the South Norfolk Local Plan Development Management Policies Document (2015); Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014); and the sustainable development objectives of the revised Framework. Together these seek to ensure that new development is located so that it positively contributes to the sustainable development of district of South Norfolk, minimises the need to travel and gives priority to low impact modes of transport.

Housing land supply

22. The Interim Greater Norwich Area Housing Land Supply Assessment (April 2019), which includes the administrative area of the Council, indicates that 6.63 years supply of deliverable housing land is available in the Greater Norwich Area, and 6.04 years within South Norfolk. Whilst I have been provided with several appeal decisions that considered housing land supply in South Norfolk, these predate the latest formal assessment of supply.

⁴ Appeal Reference: APP/LP2630/W/15/3033684

23. On the basis that I have not been provided with any compelling evidence to dispute this more recent position, I consider that the supply of housing for the district would enable the DP to be considered up-to-date. Paragraph 11(d) of the Framework would not therefore be engaged. Nonetheless, whilst the provision of a further dwelling would contribute to the overall housing mix in South Norfolk it would not have a significant effect on the supply of housing in the district. This would not therefore outweigh the harm that I have identified that would result from allowing this development.

Other matters

24. I have been referred to several appeal decisions and approved developments locally, including the mobile home adjacent to the site. The circumstances behind these decisions are not before me so I am unable to give these much weight. In any event, I have determined this appeal on its own individual merits.

25. Furthermore, the appellant has drawn my attention towards Paragraphs 83 and 84 of the Framework. However, to my mind, these do not apply to this appeal as they relate to the development of business, agriculture, tourism, leisure, local services and community facilities in rural areas.

Conclusion

26. For the above reasons, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR