
Appeal Decision

Site visit made on 6 August 2019

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2019

Appeal Ref: APP/F2605/W/19/3229709

The Oaks, Carr Lane, Wendling, Norfolk NR19 2LP

- 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 Mr and Mrs R O'Neil against the decision of Breckland Council.
 - The application Ref 3PL/2018/1299/O, dated 19 October 2018, was refused by notice dated 25 April 2019.
 - The development proposed is residential development.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline with all detailed matters reserved for later determination apart from layout. This layout shows six dwellings; two pairs of semi-detached and two detached units with separate garaging. Although ticked in the application form, the sustainable development statement makes it clear that access remains a reserved matter.
3. The indicative street-scene drawing shows the dwellings as all two-storey and the layout shows four access points; one for each of the semi-detached pairs and one each for the detached houses. I have dealt with the appeal on the above basis.

Main Issues

4. The main issues are
 - (i) the extent to which future occupiers of the proposed dwellings would have reasonable access to regularly-required services and facilities and
 - (ii) the effect of the housing proposed on the character and appearance of the area.

Reasons

(i) Access to regularly-required services and facilities

5. The development proposed would be relatively remote from the nearest built-up residential area with the site laying within countryside beyond the nearest small cluster of housing at Abbey Close. This housing is served mainly off Carr Lane near to its junction with the Dereham Road. Beyond this housing, and onwards towards the appeal site, this lane ceases to be an adopted highway

and becomes a narrow, one-vehicle width hard-surfaced agricultural access, with grassed verges fringed by quite tall hedging with trees.

6. There are no highway safety concerns raised but the access is clearly below a standard to conveniently support further housing due to its limited width and general unadopted standard. The appellant has offered to make provision for passing bays. However, the lack of a highway safety objection lends no positive weight to this proposal. Moreover, the proposal would introduce housing in a location where future occupiers would, in relative terms, be highly reliant on car journeys and on deliveries to meet their essential needs. There are little or no facilities nearby and those elsewhere in Wendling itself comprise just a village hall and a hotel with restaurant and swimming pool.
7. There are bus stops a shortish walk away from the site, although the lack of footpaths and lighting along Carr Lane might deter pedestrians from walking to the nearest on the Dereham Road, particularly outside daylight hours. There are limited details over the bus service and the evidence does not persuade me other than that the housing proposed here would not be conveniently accessible to regularly required services, such as shops, schools, employment and medical centres.
8. The proposal would be outside of any defined settlement boundary and contrary to the Council's Core Strategy and Development Control Policies¹ (CSDCP) SS1, DC2, CP1 and CP14. This is insofar as these policies restrict new housing to within settlements in amounts commensurate with the level of service provision and thereby seek to reduce the need to travel, encourage walking, cycling and the use of public transport and limit vehicular movement on the road network to reduce congestion and emissions.
9. I note that the more prevalent use of on-line shopping and home deliveries would still engender additional vehicle movements into this area of countryside, also contrary to the aims of these policies. Therefore, I find significant harm from the conflict of the proposal with these policies in respect of the relatively poor accessibility to regularly-required services and facilities.

(ii) Character and appearance

10. The proposal would introduce a short segment of ribbon housing within an area of largely undeveloped countryside, set well apart from any established settlement. Regard has been given to the submitted tree report. However, the inevitable loss of vegetation to provide access, and the erection of the dwellings and the creation of domestic curtilages with gardens, boundary fencing, drives and other domestic paraphernalia, would combine to have a significantly harmful effect on this area of countryside and appear alien to its present undeveloped rural character. This harm might be exacerbated by any road widening and further passing provision along Carr Lane necessary to accommodate six dwellings.
11. For these reasons the housing proposed would be in conflict with CSDCP DC12, DC16 and CP11 which seek to protect the countryside and the rural landscape from development incompatible with its existing form and character. Again, significant harm would derive from the conflict with policy in respect of an adverse effect on the character and appearance of the area.

¹ Breckland Council's Core Strategy and Development Control Policies Development Plan Document 2001-2026, adopted in December 2009.

Planning Balance and Conclusion

12. The Council cannot demonstrate a five year supply of deliverable housing sites and therefore weight must be given to the presumption in favour of sustainable development set out in paragraph 11 of the National Planning Policy Framework (the Framework). Where this is the case the policies which are most important for determining the application are deemed to be out-of-date. In the appeal location, not subject to any special protective designation, this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
13. Achieving sustainable development means that the planning system has three overarching objectives, economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each.
14. There would be moderate benefits to the local economy through the construction and future servicing of the dwellings. As a small development this proposal would also provide a moderate social benefit by making a positive and readily deliverable contribution towards housing supply.
15. That the ecological report finds no harm to any protected wildlife is a neutral consideration. In environmental terms, the development plan policy conflict is in this instance supported by the Framework. In paragraph 103 this seeks that the planning system should actively manage patterns of growth in support of sustainable transport. It provides support for the Council's policies to focus significant development on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can reduce congestion and emissions, improve air quality and public health and at the same time help planning decisions recognise the intrinsic character and beauty of the countryside.
16. Although recognising that opportunities to maximise sustainable transport solutions vary between urban and rural areas, the Framework does not actually advocate housing in locations where service accessibility is poor. Similarly, whilst the supporting Planning Practice Guidance (PPG) notes that a wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness², it does not encourage development such as that proposed which is quite clearly outside of a settlement of any sort.
17. When assessed against the Framework and PPG, the adverse impacts in respect of poor accessibility to regularly-required services and facilities, with a relatively high degree of private car use dependency, coupled with the significant harm to the character and appearance of the countryside, would significantly and demonstrably outweigh the moderate social and economic benefits the residential development would provide.
18. Therefore, this proposal would not benefit from the presumption in favour of sustainable development in the Framework and the material considerations would not exist for the proposal to be determined other than in accordance

² Paragraph: 010 Reference ID: 67-010-20190722

with development plan policy, with which there would be clear conflict.
I conclude therefore that the appeal should be dismissed.

Jonathan Price

INSPECTOR