The Planning Inspectorate

Appeal Decision

Site visit made on 2 September 2019

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2019

Appeal Ref: APP/L2630/W/19/3232558
Land north of High Street, Ketteringham NR18 9RU

- 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 D Austin against the decision of South Norfolk District Council.
- The application Ref 2018/2841, dated 19 December 2018, was refused by notice dated 14 February 2019.
- The development proposed is erection of 1 no. self build dwelling with associated parking and landscaping.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The original application was made in outline with access and layout for consideration and I have therefore had regard to drawings 062-18-01 (Existing Site & Location Plan), 062-18-02 (Indicative Elevation & Site Plan). I have dealt with the appeal on this basis and I have treated any details not to be considered at this stage as being illustrative only.

3. The proposal before me follows the dismissal of a related appeal on the same site, APP/L2630/W/17/3181672. Whilst each case must be determined on its own merits, I have had regard to this decision in the determination of the appeal.

Main Issues

4. The main issues are

   - the effect of the development on the setting of Ketteringham War Memorial, a Grade II Listed Building.
   - whether the proposed development would provide a suitable location for housing, having regard to the accessibility of services and facilities.
   - the effect of the proposal on the character and appearance of the area.

Reasons

Ketteringham War Memorial

5. Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the LBCA Act') requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses when dealing with planning applications. Paragraph 193 of the National Planning Policy Framework ('the Framework') states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation; the more important the asset, the greater the weight should be.

6. Ketteringham War Memorial (KWM) is a Grade II listed structure, listed as part of a nationwide thematic programme to list war memorials for the centenary of the First World War. It is a physical representation of the Ketteringham community in the major conflict of the First World War (1914-1918), giving it both a local historical significance and a wider national significance. It is designed as a Celtic wheel head cross and stands in a grassed area, surrounded on three sides by a mature hedgerow, and includes a small bench. This enables opportunity for quiet reflection and contemplation.

7. The KWM is surrounded by an existing paddock which contains post and rail fencing. On the opposite side of the street are existing residential dwellings and community hall.

8. The glossary of the Framework gives a definition of the setting of a heritage asset as "the surroundings in which a heritage asset is experienced". It goes on to advise that the extent of this setting is not fixed and may change as the asset and its surroundings evolve. I have had regard to the parties' comments on the setting, and having visited the site, acknowledge that there is a degree of enclosure around the KWM. Nonetheless, I consider its wider setting to encompass the field beyond, because this openness and lack of any significant development on the site combine to give a prevailing sense of tranquillity, which contributes to the significance of the designated asset.

9. The introduction of a residential dwelling in close proximity to the KWM would result in additional activity and movements from future occupants of the proposed dwelling which would detract from the peaceful setting of the KWM and be detrimental to its overall setting.

10. In addition, the creation of a residential plot would result in the artificial subdivision of the field, which currently has no natural boundaries except those on the outer boundaries of the field, and the small amount of hedging enclosing the KWM. Currently, the KWM sits centrally within the site frontage and the proposed dwelling would lead to the KWM becoming offset and no longer being sited centrally. This would result in a further erosion to its setting.

11. The proposed development would be harmful to the setting of the listed building, and thereby the significance of the designated heritage assets. Nevertheless, the harm would be less than substantial and in accordance with paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal.

12. Whilst the site would give rise to some economic benefits during the construction phase and I consider that there would be modest social benefits

arising from the contribution to the Council's housing supply, noting paragraph 64 of the Framework which highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area. However, these modest benefits are not considered to outweigh the identified harm to which I must attach considerable importance and weight.

13. The proposal would, therefore, fail to preserve or enhance the setting, and thereby the significance of, the designated heritage asset. It would not accord with the policies of the Framework which seek to conserve and enhance the historic environment and would be contrary to policy DM4.10 of the South Norfolk Local Plan Development Management Policies Document (LP) which echoes the requirements of the Framework.

Suitability of Location

14. The site is outside of the settlement boundary of Ketteringham and is therefore in the countryside for planning policy purposes. However, given its grouping with other dwellings in the village it is not isolated. The Council's officer report states that Ketteringham is classified as an Other Village in the Joint Core Strategy, which indicates that Ketteringham has limited facilities and public transport.

15. Given the village has limited services and facilities occupiers of the proposed development would have to travel onwards to services and facilities within Hethersett or Norwich. I have no substantive evidence before me to indicate that the site is well served by public transport. I therefore consider that occupiers of the proposed development would be likely to be reliant on the private car to access community facilities such as shopping, healthcare, leisure and entertainment.

16. Whilst I note that there is a development of housing taking place on the field adjacent to the site, I do not have the full details of the circumstances that led to this proposal being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal.

17. I therefore conclude that the proposed development would not represent sustainable development in respect of its location. Consequently, it would not accord with Policies DM 1.3 of the LP which seek to ensure that development is sustainably located.

Character and appearance

18. Ketteringham is a linear settlement with the pattern of development being characterised by dwellings fronting on to High Street. The appeal site comprises a gap between those dwellings currently under construction and the existing development.

19. Previous decisions on the site have highlighted the importance of this gap, which provides a transition between the more developed parts of the village to the west and I agree with this interpretation. However, I note that the site does not benefit from any formal designation within the LP.

20. Whilst I accept that the development of the site with a single dwelling would still enable a gap to be maintained as part of the field will remain undeveloped, I consider that the artificial subdivision of the site would erode the importance of this gap which contributes positively to the open nature and rural character

of the area. This would lead to an uncharacteristic interruption of this gap and lead to a built form and suburbanisation that would be at odds with the open quality of the area.

21. In conclusion, the proposal would be contrary to policy 4.5 of the LP which seeks to ensure that all development respects, conserves and where possible, enhance the landscape character of its immediate and wider environment. The proposal would also be contrary to Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted January 2014) in particular in its aim to respect local distinctiveness.

Other matters

22. There is also reference to the conduct and advice of the Council and its officers during the planning application process. However, these are not matters for my deliberation in the context of a planning appeal.

23. The Council has advised that they can demonstrate a 5 year land supply and the appellant has not provided sufficient evidence to dispute this.

24. Reference has been made to other examples of development being allowed near to war memorials. However the characteristics of each site are different and the circumstances that applied to other cases may not be directly comparable to those before me. The appellant also refers to a permitted development fallback, however I have considered the case on the basis of what is before me.

25. The appellant has queried whether Historic England should have been consulted on the application, however the Planning Practice Guidance advises that they are only required to be consulted or notified on development which the local authority (or Secretary of State) think would affect the setting of a Grade I or II* listed building. In this instance the development affects the setting of a Grade II listed building.

26. The appellant has advised that the development would add to the Council's self build register. However, whilst that would be a benefit of the proposal, this does not outweigh the harm I have identified above.

27. For the reasons given above I conclude that the appeal should be dismissed.

G.Pannell

INSPECTOR