
Appeal Decision

Site visit made on 22 October 2019

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2019

Appeal Ref: APP/K2610/W/19/3234936

Rookery Nook, Drayton Lane, Horsford, Norwich NR10 3AN

- 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 Stallard against the decision of Broadland District Council.
 - The application Ref 20190288, dated 18 February 2019, was refused by notice dated 7 May 2019.
 - The development proposed is the erection of three detached dwellings and creation of two new access points onto Drayton Lane.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal proposal is for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the scheme, I have treated the details relating to the matters reserved for future approval submitted with the appeal application as a guide to how the site might be developed.

Application for costs

3. An application for costs was made by Mr and Mrs Stallard against Broadland District Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues are:
 - Whether the appeal site represents an appropriate location for housing, having particular regard to access to facilities and services;
 - The effect upon the character and appearance of the area; and
 - The effect upon the setting of The Lindens, a grade II listed building.

Reasons

Whether an appropriate location for housing

5. The appeal site is located to the south of Horsford and outside of the village's defined settlement limits. Policy GC2 of the Development Management

Development Plan Document (adopted August 2015) (the DMDPD) sets out that new development, unless according with a specific allocation or policy otherwise, will be accommodated within settlement limits. No allocation or other policy that supports residential development on the appeal site has been drawn to my attention.

6. Policy GC2's supporting text explains that a settlement hierarchy is in place that fundamentally seeks to focus residential developments in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities.
7. Horsford is defined as a Service Village under Policy 15 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) (the JCS). Such villages have been defined based on having a good level of services and facilities. Indeed, Horsford contains a range of services and facilities, including a primary school, a shop/post office, a pharmacy, a restaurant and a village hall.
8. Holt Road, which runs an approximate north-south axis through Horsford, is served by a footpath that leads up from where it connects to Drayton Lane (the Lane) to the south of the village. Although the Lane is not a heavily trafficked route and the site is situated only a relatively short distance along it (from Holt Road), it is not pathed or lit. Given the site's location to the village's fringe and the noteworthy distance from several of the village's facilities, most particularly its school, walking into Horsford in order to serve day-to-day needs would be unlikely to represent a greatly attractive option for the proposal's future occupiers. This is particularly when noting the relatively narrow range of facilities and services on offer.
9. The village's various facilities could potentially be cycled to, although no defined route(s) for cyclists is/are in place along Holt Road. There are also bus stops on Holt Road in relative proximity to the site offering what I understand to be regular services to Norwich, as well as other destinations. Whilst clearly a positive factor, it is still doubtful that future occupiers of the development would be both prepared and conveniently able to depend on local bus services to serve their day-to-day needs.
10. As set out in the National Planning Policy Framework (February 2019) (the Framework), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Whilst I have taken this into account, it remains the case that the site's location would likely promote unsustainable transport choices.
11. The site is located outside of Horsford's settlement limits such that the proposal is in conflict with Policy GC2. The appeal site, given its distant and peripheral location relative to the village's core, does not represent an appropriate location for housing, having particular regard to access to facilities and services.

Character and appearance

12. The appeal site contains a single dwelling that is located upon a spacious and verdant plot positioned to the fringe of a rural settlement. Agricultural land is situated to both the south and west of the site, as are balancing ponds to the south. Notable portions of the site are made up of undeveloped garden land

- and its boundary with the Lane features a belt of planting. Whilst there are several other properties served by the Lane and located in proximity to the site, buildings tend to be loosely and sporadically positioned and interspersed by soft landscaped features. Indeed, a streetscene of green and semi-rural character was very much in evidence during inspection.
13. The site plan that has been submitted offers an indication of how 3 new dwellings could be accommodated upon the site. Land to the east of Rookery Nook, it is envisaged, would contain one dwelling whilst a larger area of garden land situated to the west would be expected to accommodate 2 dwellings.
 14. The Council has raised concerns that the provision of a dwelling on land to the east would result in contrived access arrangements and setback development that would be at odds with the character of the Lane. As such, they suggest that all 3 dwellings may have to be located to the west of Rookery Nook. However, existing properties that are in place along either side of the Lane are setback a variety of distances and are irregularly positioned such that I am not persuaded that contrived and out of character arrangements would necessarily ensue. I shall thus consider the proposal's effect upon the character and appearance of the area based on the split of units (between either side of the site) that is indicated on the site plan before me.
 15. The proposal would add a further 3 dwellings to the southern side of the Lane, a location that currently accommodates only Rookery Nook and the adjacent Crown Bungalow. In a position to the outskirts of Horsford where I have found a semi-rural character to be in existence, this represents a significant intensification in the amount of residential development. The proposal, whilst making an efficient use of land, would not be suitably respectful of the Lane's loose and low-density pattern of development. This would be my finding even should an existing garage at the site be converted to holiday let accommodation.
 16. The 2 dwellings that are indicatively proposed to the western side of the site raise particular concerns. This area of the site is situated in a visible location adjacent to the Lane. Whilst currently comprised of garden land, this land is undeveloped and has rural qualities that promote it being read and experienced as land falling within the open countryside. The introduction of 2 dwellings, even if of merely a single storey, would have a noticeable and harmful urbanising effect in this location. Indeed, the planting that is in place to the site's boundary with the Lane does not provide a solid buffer to views and any additional supplemental planting would take time to properly establish.
 17. The appellant has referred to the emerging Greater Norwich Local Plan (the GNLP) and to sites that have been put forward in the Horsford area to be considered as potential allocations for development. However, the GNLP is at a stage that attracts limited weight and, as acknowledged by the appellant, potential sites have not yet been fully and comprehensively assessed. Whilst I acknowledge reference to planning permission having been granted for a residential development of 84 dwellings on a site situated nearby to the north, there is currently no certainty that other sites in proximity to the appeal site shall be allocated and/or developed in the future.
 18. For the above reasons the proposal would cause harm to the character and appearance of the area. The proposal conflicts with Policies GC4 and EN2 of the DMDPD in so far as these policies require that proposals pay adequate

regard to the environment, character and appearance of an area. The proposal also conflicts with Policy HBE3 of the Horsford Neighbourhood Plan (adopted July 2018) in so far as it requires that regard be given to the density, footprint and separation of buildings in the locality.

Setting of The Lindens

19. On the opposite side of the Lane to the appeal is situated The Lindens, a grade II listed building, the significance of which as a designated heritage asset is derived, in part, from its visual interest and its relevance to the historic evolution of the village and to the rural history of the area.
20. The Lindens is setback a short distance from the Lane and sited within heavily landscaped and walled grounds. These grounds and various associated/formerly associated outbuildings make an important contribution to the asset's setting. The Lindens has agricultural origins and thus an historic association with its wider setting. However, the appeal site, being situated to the Lane's opposite side and already containing a residential dwelling, reads as separate and distinct from The Lindens. Whilst the proposal would introduce further suburbanising development to the Lane, I am satisfied that the site does not form an important part of The Lindens' setting.
21. The precise layout and composition of development would only become apparent at detailed planning stage. However, subject to any potential scheme being brought forward at a low scale, I find that 3 dwellings could be accommodated upon the appeal site whilst satisfying the statutory duty to have special regard to the desirability of preserving a listed building's setting. For these reasons, the proposal would not cause harm to the setting of The Lindens nor lead to a loss of heritage significance.

Other Matters

22. I have noted an objection raised by an interested party with respect to the effect upon neighbouring living conditions. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore this matter further here.
23. It is disputed by the main parties to this appeal whether the Council can currently demonstrate a five-year supply of deliverable housing sites. As the JCS's housing requirements are now more than five years old, housing land supply will, as laid out in the Framework, be measured against the area's local housing need calculated using the standard method set out in the Planning Practice Guidance.
24. I have been made aware that the Annual Monitoring Report of the Joint Core Strategy for Broadland, Norwich and South Norfolk for 2017-18 (the AMR) has been published in draft form pending final sign off. The AMR measures supply against local housing need using the standard method across the Greater Norwich area and calculates a housing land supply figure of 6.54 years.
25. I accept that, from the evidence before me, the AMR has not yet been formally adopted and that its inputs and findings have not yet been subject to full scrutiny. However, considering its published and advanced stage I do not agree that no weight should be given to the AMR in my determination of this appeal. Indeed, having considered all submissions before me and noting that

no challenge has been put to the actual figures contained within the AMR, I have taken the Council's position as the best available evidence.

26. For the avoidance of doubt, I consider that the policies that are most important for determining this appeal are not out-of-date. I have not therefore applied the tilted balance in favour of the proposal as set out in paragraph 11 of the Framework and Policy GC1 of the DMDPD. Nonetheless, I acknowledge that the proposal would deliver 3 additional housing units that would be expected to be able to be delivered quickly and that the Framework reaffirms the Government's objective of significantly boosting the supply of homes.
27. In terms of further scheme benefits, the proposal would create jobs during the construction phase and provide support to the local economy and local facilities once occupied. There would also be increased Council Tax revenues and New Homes Bonus payments that could be invested locally. However, these benefits would be limited given the scale of development under consideration. There would also be expected to be limited biodiversity benefits associated with the planting of new soft landscaping.
28. Having considered the benefits and adverse impacts of the scheme before me, the contributions associated with the delivery and subsequent occupation of 3 dwellings would be modest and would not outweigh the significant harm and policy conflict I have identified by virtue of the site not representing an appropriate location for housing and by virtue of its effect upon the character and appearance of the area. The development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

29. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR