



Appeal Decision

Site visit made on 13 January 2020

by S A Schinaia MSc EngD FGS

an Inspector appointed by the Secretary of State

Decision date: 11th March 2020

Appeal Ref: APP/Y2620 /W/19/3233933

Land south of Carousel, Stone Lane, Ashmanagh, Norfolk NR12 8YR

- 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 Michael Pye against the decision of North Norfolk District Council.
 - The application Ref PF/19/0205, dated 26 March 2019, was refused by notice dated 23 May 2019.
 - The development proposed is erection of double garage and bungalow including facilities for relative with progressive mobility problems.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed development is acceptable having regard to the location of the proposed development within an area designated as Countryside and to the effect of the development on the character of the landscape.

Reasons

Location

3. The application is for the erection of a single storey detached dwelling and detached double garage in Stone Lane, Ashmanagh. The site is a plot of land south of residential properties in Stone Lane. The site is used to store and cut wood into logs and does not have stables. The development includes a newly created access from Stone Lane between existing trees on the site frontage, three on-site gravelled parking spaces, a turning area and a large front and rear garden. The property includes facilities to accommodate a relative with progressive mobility problems.
4. The site is within the designated Countryside policy area of North Norfolk, as defined under Policies SS1 and SS2 of the adopted North Norfolk Core Strategy. Policy SS1 aims to restrict development in the Countryside and in dispersed rural areas to prevent dependency on travel by car to reach basic services and ensure a more sustainable pattern of development. To support the appeal, the applicant pointed out that existing residents in Ashmanagh are dependent on private car use. However, the argument to prevent dependency on travel by car in Policy SS1 is valid and supported by Policy CT5 of the Core Strategy on the transport impact of new development. Policy SS1 states that

development will be restricted to proposals that support the rural community and the rural economy, meet affordable housing needs and provide renewable energy. Policy SS2, which lists the purposes to allow development in the Countryside, does not provide exception to grant planning permission to the appeal proposal.

5. The North Norfolk Core Strategy addresses the need to provide housing for disabled people in sheltered/supported accommodation or in schemes of more than five dwellings (Policy HO1), and in terms of accessibility (Policies EN4 for design, CT5 for transport, CT6 for parking), but does not provide exceptions to grant planning permission on grounds of disability. There is no argument to support the development under Paragraph 78 of the National Planning Policy Framework (Framework), as the dwelling would not enhance or maintain the vitality of the rural community.
6. The appellant has referred to planning permissions granted for conversion of barns in residential units. I have not been provided with the details of those cases and am unable to ascertain whether they are similar to the case before me.
7. I have taken account of the personal circumstances of the appellant in deciding the outcome of this appeal. The appellant has not provided any evidence to support the choice of the site apart from personal ownership of the land and the argument that his current residence is not adequate to be adapted to needs of the relative. There is no evidence that alternative solutions were investigated, such as extensions to existing dwellings or the provision of a new dwelling within the Development Boundary of a designated settlement, as suggested by the North Norfolk District Council.
8. The proposal would conflict with Policies SS1, SS2, CT5, which seek to prevent development in the Countryside and the personal circumstances of the appellant are not sufficient to outweigh the conflict with these policies.

Character and appearance

9. The Highway Authority has expressed the need for a visibility splay from the site entrance which would involve clearance of some of the existing boundary hedges and trees along the roadside frontage. As the hedges and trees provide significant screening along the frontage, their removal may be visually detrimental to the rural characteristics of the site and its surroundings. The hedges and trees are a valued feature within the landscape character type of Low Plains Farmland as identified in the revised North Norfolk Landscape Character Assessment (2018).
10. The submitted tree survey has not assessed the impact that the splay could have on the existing trees and hedges and, consequently, on the landscape. Therefore, it cannot be concluded that the proposal would be compliant with Policy EN4, which seeks to retain existing important landscaping and natural features. The proposal would not be compliant also with Policy EN2, which seeks to protect the distinctive character of areas identified in the North Norfolk Landscape Character Assessment.

Conclusion

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

S A Schinaia

Inspector