
Appeal Decision

Site visit made on 10 March 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2020

Appeal Ref: APP/L2630/W/19/3242447

Dark Hole, Toad Lane, Thwaite NR35 2EQ

- 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 Ditchingham Farms against the decision of South Norfolk District Council.
 - The application Ref 2019/0794, dated 20 March 2019, was refused by notice dated 22 August 2019.
 - The development proposed is described as 'redevelopment of brownfield site to provide two commercial units, comprising refurbishment and small extension to two existing buildings together with associated parking. Proposed units to accommodate B1 or B8 uses'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's officer report confirms that the proposal was amended during the consideration of the planning application. This is reflected in the description of development on the appeal form which differs from the description given on the planning application form. Therefore, I have taken the description of development from the appeal form and used it in the banner heading above.

Main Issues

3. The main issues are:
 - Whether or not the appeal site is an appropriate location for the development having regard to local and national planning policy; and,
 - The effect of the development on the character and appearance of the area having regard to the heritage interest of the appeal buildings.

Reasons

Location

4. The site lies outside a defined settlement boundary in the local plan and for the purposes of planning policy is in the countryside.
5. The wider site is occupied by a larger building which is used as a car repair workshop¹. It is proposed to use the smaller buildings within the appeal site

¹ South Norfolk District Council planning application reference – 2013/0357

for B1/B8 uses, although the precise nature of their use within these classes is unknown. The appeal site's surroundings are eminently rural, and I was able to see on my site visit that the roads close to the appeal site were narrow, unlit and lacked footway provision such that any access to the appeal site would be heavily reliant on the use of motor vehicles.

6. I appreciate that the strict application of Policy DM2.1 of the DMP requires employment sites to be well related to existing towns or settlements only where the re-use of rural buildings would otherwise be unacceptable². However, the subtext to this Policy makes it clear that preference should be given 'to new sites within development boundaries, to the needs of existing businesses that wish/require expansion, and finally to new small sites that are well related to a nearby rural settlement in terms of urban form and access to services'. Moreover, Policy 1.3 of the DMP requires that new development is located so that it positively contributes to the sustainable development of South Norfolk as led by the Local Plan, with an emphasis on promoting development on allocated sites or within existing settlement boundaries. Therefore, I am satisfied that there is a requirement in the Local Plan to consider a site's accessibility and location having regard to the settlement hierarchy, notwithstanding the acceptability of the proposal in other regards.
7. In any event, paragraph 84 of the National Planning Policy Framework (the Framework) recognises that whilst sites to meet local business and community needs in rural areas may have to be found beyond existing settlements, and in locations that are not well served by public transport, that positive consideration be given to brownfield sites and those physically well-related to existing settlements.
8. With this in mind, there is no compelling evidence with this appeal to show how the appeal site location contributes to the local business and community needs of the locality, nor has it been demonstrated that the proposed uses would be close to the point of demand, so as to represent a sustainable employment location. Moreover, there is insufficient evidence to suggest that there is an overriding 'need' for the proposal in this location, taking into account the availability of suitable sites in more accessible locations. The appellant's assertion that the proposal would result in economic benefits and support diversification of the existing rural business in light of current economic uncertainty does not amount to overriding benefits.
9. It is put to me by the appellant that, as well as the motor vehicle repairs use that exists within the wider site, a commercial letting scheme is operating as a result of a planning permission granted in 2014, located within 3.5 miles of the appeal site. I do not know the specific details of any of the schemes referred to or the reasons why they were granted, so I am unable to draw any meaningful comparisons between them and the scheme before me. In any event, and despite the modest scale of the uses proposed within the appeal buildings, I have assessed the proposal on its planning merits and find the location of it unacceptable, for the reasons given.
10. Consequently, I do not find the appeal site to be an appropriate location for the development having regard to local and national planning policy. The proposal would conflict with the collective requirements set out in Policies DM2.1 and DM1.3 of the DMP and paragraphs 83 and 84 of the Framework which in

² By conflicting with the criteria set out in Policy 2.10 of the DMP

summary state that sustainable growth of business should be in locations physically well related to existing settlements having regard to accessibility.

Character and appearance

11. The appeal buildings are not listed, and they do not benefit from any statutory protection. Nonetheless both main parties consider that the buildings are non-designated heritage assets due to their association with Seething airfield. In this regard, the land generally on the opposite side of Toad Lane is occupied by agricultural fields, with some of the hardstanding area and runway associated with the airfield visible to the north along Toad Lane. This airfield infrastructure is some distance from the appeal site and well screened from it. As such, it was not immediately apparent to me on my site visit that the appeal buildings formed part of Seething airfield. Whilst the appeal buildings remain largely intact, I could see that some of the brick work had decayed, and the appearance of the appeal site and the buildings within it evoked an overall sense of decay and dereliction.
12. Nonetheless, the Council's Historic Environment Officer identifies that the appeal buildings comprised World War II installations occupied by the 448th Bomber Group of the United States Air Force. I have no reason to disagree and consequently I find that the buildings have a military history of local significance; as such the buildings should be considered as non-designated heritage assets.
13. These buildings have a functional design, and neither are particularly noteworthy for their architectural style and outward visible qualities. The alterations proposed to the rearmost building (building A) would largely involve an extension to the side which would elongate the building when seen from the front, and alter its street facing fenestration pattern, which would include the provision of two doorways. The outer walls would also be clad. However, the proposed extensions and alterations would not appear obtrusive and would be in keeping with the functional and domestic appearance and scale of building A. Having regard to the proximity of the existing larger workshop building within the wider site, extended building A would not appear prominent in the street or from within the wider countryside. Building B is located closer to the road than building A, but the proposed side extension would be more proportionate to the existing building than building A, and it would appear subservient to its original scale and form.
14. Whilst Policy DM2.10 states that buildings to be reused should not require 'major extensions', the same policy criteria goes on to explain that this is in order to ensure that the rural characteristics of original buildings are retained. Therefore, even if I was to accept the Council's assertion that the proposal would constitute 'major extensions', I find that the extended buildings and commercial use would be in keeping with the partly commercial use of the wider site and its rural setting.
15. Consequently, the alterations, additional hardstanding and subsequent change of use would not diminish the historic military importance of the buildings, which would remain in situ. The proposal would not adversely affect the character and appearance of the area. Therefore, the significance of the non-designated assets would be preserved.

16. Overall, I find that the proposal would preserve the character and appearance of the area having regard to the heritage interest of the existing buildings. It would comply with Policies DM2.10(b) and DM4.10 of the DMP and paragraph 197 of the Framework which require, amongst other matters, that historic assets, including the significance of non-designated heritage assets, are taken into account in decisions, and that developments should not have a serious adverse impact on the characteristics of rural buildings.

Other Matters

17. Several third parties raise other areas of concern in relation to highways and the effect of the proposal on the living conditions of nearby occupiers. I note that the Council have not objected on these grounds but as I am dismissing the appeal for the reasons given, it has not been necessary for me to pursue them further.
18. The appellant has evidenced that the red-line boundary of the planning permission associated with the adjacent car repair workshop encompasses one of the appeal buildings. However, the appeal buildings were not in use on my site visit and the unkempt appearance of the appeal site did not suggest that it had been used in the recent past. Moreover, no Lawful Development Certificate³ exists to demonstrate that the use of any of the appeal buildings for commercial purposes would be lawful. This matter therefore carries limited weight which is insufficient to outweigh the harm I have identified.

Conclusion

19. The proposal would preserve buildings which are non-designated heritage assets and would not be harmful to the character and appearance of the area. However, I find that the countryside location of the appeal site is not appropriate for the proposal. As such, for the reasons given, the appeal is dismissed.

Matthew Woodward

INSPECTOR

³ See S191 and S192 of the Town and Country Planning Act 1990