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## Appeal Decision

Site visit made on 10 March 2020

**by S Tudhope LLB (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 April 2020**

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**Appeal Ref: APP/K2610/W/19/3236351**

**Old Monastery Field, The Moor, Reepham NR10 4NL**

- 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 Miss B A, Mr H J P and Ms V A J Wood against the decision of Broadland District Council.
  - The application Ref 20190436, dated 11 March 2019, was refused by notice dated 30 May 2019.
  - The development proposed is erection of 1 no. single storey residential dwelling with garage and associated development, including access to existing horse paddock.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The application is made in outline with access, layout and scale to be determined at this stage and appearance and landscaping reserved. I have determined the appeal on that basis.

### Main Issues

3. The main issues are:
  - whether the site would be in a suitable location for the proposed development having regard to the development strategy for the area and accessibility to services and facilities;
  - the effect of the proposed development on highway safety, and
  - whether or not the proposal would preserve or enhance the character or appearance of the Reepham Conservation Area (RCA) and the setting of nearby listed buildings.

### Reasons

#### *Development strategy and access to services and facilities*

4. Policy GC2 of the Broadland District Council Development Management Development Plan Document 2015 (DM) sets out that new development outside of settlement limits will be permitted where it accords with a specific allocation or policy of the development plan and does not result in any significant adverse impact. The site is located outside of the settlement

boundary of Reepham and is therefore within the countryside for planning policy purposes. No allocation or other policy that supports residential development on the appeal site has been drawn to my attention.

5. Policy GC2's supporting text explains that a settlement hierarchy is in place to achieve growth targets in a sustainable way and seeks to focus residential developments in settlements which are well-linked and well-related to existing development, services, facilities and employment opportunities.
6. The appeal site lies on the south side of The Moor, to the east of the edge of the settlement boundary. I acknowledge that Reepham is identified as a key service centre under Policy 14 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) and benefits from a range of shops and services, schools and employment opportunities. However, most of the everyday services are located towards the centre of the town, some distance away from the appeal site, necessitating at least a 10 minute walk in order to access. The journey into the town would be in part along narrow unlit roads without the benefit of footpaths. I do not consider that the conditions would encourage future occupants to regularly walk to access services and facilities within the town.
7. I am advised that there are at least five bus routes that run approximately every two hours, Monday through Saturday, connecting Reepham to the wider area and larger settlements such as Aylsham and Norwich. However, I do not have precise details of the timings of these services so cannot be certain that they would provide a genuine alternative to the use of private motorised transport. In any case, the distance to the nearest bus stop, along with the lack of footpaths and lighting for part of the route from the appeal site, is such that regular use of the public transport provision would be unlikely to prove attractive to future occupiers, particularly after dark or in inclement weather. Future residents would be very likely to be highly reliant on private motor vehicles to access services and facilities. Whilst dependence on private vehicles may be expected in more rural locations, the proposal would only exacerbate this level of reliance.
8. I therefore conclude that the site would not be in a suitable location for the proposed development having regard to the development strategy for the area and accessibility to services and facilities. The proposal would conflict with DM Policy GC2 and the sustainability requirements of DM Policy GC1.

#### *Highway safety*

9. In the immediate vicinity of the appeal site The Moor is fairly straight and, although narrow, is capable of two-way traffic. At the time of my site visit the area in front of the appeal site was being used to park a car, further restricting the carriageway at this point. The Moor joins Orchard Lane at its western end, some 70 metres west of the appeal site. To the east of the site the carriageway narrows to single width. There is an existing access to the site at the western end of the site frontage; the remaining boundary with the highway is comprised of unkempt hedgerow interspersed with trees. The lane is unlit and has no footpath provision. I accept that the Moor is not a particularly busy road.
10. The proposed development would result in the existing access being shared between the proposed dwelling and continued access to the remaining field,

which is said to be in use as a paddock for grazing horses. The highway authority has advised that visibility from both the site access and from The Moor onto Orchard Lane is substandard, and that from the submitted plans the appellants do not appear to control sufficient land to provide adequate visibility in both directions. In addition, the proposal would not improve the restricted visibility at The Moor's junction with Orchard Lane.

11. The appellant considers that the existing use of the field generates 6 vehicular movements a day and the parties agree that the proposed development would generate a further 6 daily vehicular movements. I consider that the potential for vehicular conflict would be significantly increased by the appeal development. This is the case at the site entrance and at the junction of The Moor with Orchard Lane.
12. Visibility from the access onto The Moor is restricted in both directions and although there may be potential for a visibility splay to be provided to the east of the access, this is not indicated on the plans and would involve cutting back of the boundary hedge which is proposed to be retained. In addition, visibility at the junction of The Moor with Orchard Lane is restricted to the south. Consequently, vehicles exiting the site and leaving The Moor are required to edge out onto these highways. Even allowing for slower traffic, visibility is below the standard level of acceptability.
13. I accept that there is no accident history associated with the access, The Moor or its junction with Orchard Lane. Nevertheless, this does not change the existing situation with the access and the highway junction, and whilst only one dwelling is proposed this would still increase vehicular movements which in turn would increase the associated highway risks. An increase in vehicle movements along this narrow road, where pedestrians and cyclists also have to use the carriageway, is likely to cause additional conflict and result in danger and inconvenience to all highway users.
14. I therefore conclude that the proposal would result in unacceptable harm to highway safety. Thus, it would conflict with DM Policy TS3 which resists development where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network.

#### *Heritage assets*

15. The site lies within the RCA and is directly opposite a group of grade II listed buildings; Nos 3 and 4 Ye Olde Monastery and Nos 1 and 2 Old Monastery Cottages. I am required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. I am also required under Section 66(1) of the Act, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
16. Reepham Conservation Area Character Statement (RCACS) identifies the settlement pattern of the area around The Moor as a small rural linear settlement with loosely strung-out development. The RCACS states that the undeveloped land to the south side of The Moor is important to its setting and

- advises that the gaps between houses should be retained and not filled in with new houses, as this could destroy the historic character of the settlement.
17. The appellant does not dispute that these gaps are of importance to this part of the RCA but considers that the proposal would only remove a small portion of the gap of the field, and that this area is largely hidden from public view. The appellant contends that this, combined with the single storey nature and traditional design of the proposal, would ensure that the character and importance of the RCA will be preserved.
  18. However, although only occupying a relatively small area of the wider field, the appeal proposal would extend residential use across the whole of the width of the field, largely filling the gap and detracting from the loosely strung out pattern of development along The Moor. Even though the access to the appeal dwelling would be shared with access to the remaining field, views through and across this access to the field beyond would be reduced, and the proposal would nonetheless introduce built form where previously there was none. The presence of built form and the domestic paraphernalia and activity that would accompany the development would result in the urbanisation of the site, eroding this important gap, to the detriment of the rural character and appearance of this part of the RCA. In reaching this conclusion I have taken account of the front boundary's hedgerow and trees and the level of screening that this would provide, however, this does not overcome the harm I have identified because it would not address that the gap would be filled in contrary to the RCACS.
  19. Turning to the relationship of the proposed development with the nearby grade II listed buildings, the parties agree that the appeal site forms part of the setting of this group. Ye Olde Monastery is a striking early 18<sup>th</sup> century house that has been divided into two properties. The Old Monastery Cottages are simple, late 18<sup>th</sup> century or early 19<sup>th</sup> century semi-detached cottages, joined to Ye Old Monastery, forming a terrace which has group value. The significance of these listed buildings appears to be derived from the appreciation of their historic architectural interest and structural features. Their setting arises from the surroundings in which they are experienced which in this case is semi-rural.
  20. Although there is no functional relationship between the listed group and the appeal site, there is a close visual relationship, and this contributes to the significance of their setting. Despite development to the east and west of the listed buildings, some sense of seclusion of a semi-rural setting is provided by their close proximity to the appeal site and its wider field. As a consequence, I consider that the introduction of built form to the site would disrupt the setting for similar reasons as set out above in relation to the RCA, and therefore the proposal would detract from the contribution of the site in this regard.
  21. I conclude that the proposal would not preserve or enhance the character or appearance of the RCA and would not preserve the setting of the listed buildings. The proposed development would be contrary to Policies 1 and 2 of the JCS, DM Policies EN2 and GC4 and paragraph 184 of the Framework which together, amongst other matters, seek to ensure the conservation and preservation of heritage assets and their settings. Given the scale of the proposed development I consider the harm to be less than substantial. Paragraph 196 of the Framework requires that this harm should be weighed

against the public benefit of the proposal in such circumstances. I will return to this in the planning balance.

## **Planning Balance**

22. The Framework at paragraph 193 indicates that great weight should be given to the conservation of designated heritage assets. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
23. The proposal would only provide one additional dwelling. The overall contribution to the supply of both self-build plots and housing generally would be minimal. These public benefits, along with the economic and social benefits to the community from construction activity and support for services by future occupiers, are modest and they attract limited weight. In addition, the public benefits of the potential provision of an energy efficient property and possible enhancement of diversity of habitat are minimal and therefore also attract limited weight.
24. Taking the above points together, I do not consider that there would be public benefit sufficient to outweigh the significant weight to be attached to the harm I have identified in relation to designated heritage assets.
25. The appellant considers that the Council's housing land supply position is weak and that even if the Council could demonstrate a five-year supply, that supply is a minimum requirement, and appropriate windfall housing sites in sustainable locations should be brought forward. As part of the appeal the Council has provided an update to its housing land supply and delivery position. The Council's Annual Monitoring Report 2017-2018, published October 2019, sets out that a deliverable 6.54 years supply of housing sites can be demonstrated across the joint Greater Norwich Authorities' area with the Broadland district demonstrating a supply of 7.33 years.
26. I have considered this assessment and the views expressed by the appellant, including the appeal decisions to which I have been referred<sup>1</sup>. However, the Council's evidence is more recent and in the absence of any substantive, up-to-date evidence to the contrary, I have no reason to disagree with the Council's expressed position. Even if the Council was unable to demonstrate a five-year supply of deliverable housing sites, the conflict with the Framework in terms of designated heritage assets provides a clear reason for refusing the development.
27. The appellant considers that the weight that can be given to DM Policy GC2 and other housing policies is limited because the JCS which informs the strategic and housing policies of the DM is over five years old. However, paragraph 213 of the Framework makes clear that development plan policies should not be considered out of date just because of their age. Further, there is nothing in the Framework to indicate that the definition of settlement boundaries is no longer a suitable policy response. Policy GC2 seeks to focus housing in the most sustainable settlements. This is broadly consistent with the aims of the Framework, which indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. I therefore attribute significant weight to Policy GC2 in determining the appeal.

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<sup>1</sup> APP/L2630/W/18/3209464; APP/L2630/W/18/3197272

28. The conflict with Policies 1 and 2 of the JCS and DM Policies EN2 and GC4 in relation to the conservation and preservation of heritage assets attracts significant weight. In addition, the proposal would be harmful to highway safety and would not provide a suitable location for housing in relation to access to services and facilities, in conflict with DM Policies TS3, GC1 and GC2. I give significant weight to these conflicts. The conflict with the development plan is not outweighed by other considerations including the Framework and for the reasons set out the appeal must fail.
29. Interested parties have raised concern regarding the impact of the proposal on the integrity of Booton Common Special Site of Scientific Interest. However, as I have found unacceptable harm in relation to the main issues there is no need for me to consider this further.

### **Conclusion**

30. For the above reasons the appeal is dismissed.

*S Tudhope*  
Inspector