



Appeal Decision

Site visit made on 15 May 2020

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th May 2020

Appeal Ref: APP/F2605/W/19/3242357

Land east of Station Road, Wendling NR19 2NE.

- 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 B Fryett against the decision of Breckland District Council.
 - The application Ref 3PL/2019/0257/O, dated 6 March 2019, was refused by notice dated 23 October 2019.
 - The development proposed is the erection of 3 no. dwellings with associated garages, parking and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline form with all matters reserved for future consideration except for access. I have considered the appeal on that basis.
3. The Breckland Local Plan (BLP) was adopted on 28 November 2019. Policies CP11 and DC16 of the Breckland Core Strategy have been replaced. The appellant has been given the opportunity to comment on the BLP policies.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. A small dispersed settlement in the open countryside, Wendling comprises three clusters of housing and individual scattered houses. Between the clusters of houses, there is open countryside made up predominantly of agricultural fields with trees, hedges and fenced boundaries. The appeal site lies within one such area of open countryside between Station Road, Swaffham Road and Carr Lane. Along Station Road's winding eastern side, trees, vegetation and fencing line the road verge adjoining the appeal site. Swaffham Road has a more open aspect with lower vegetation at its northern edge providing the foreground for a number of fields with boundary vegetation, and a single farmhouse at The Oaks to the east. This creates a strong verdant, open rural character for the land surrounding and including the appeal site. The triangular appeal site comprises rough open grassland bounded by trees, vegetation and fencing with vehicular access from Station Road. Along the site's eastern boundary, trees affected by Ash dieback have been removed.

6. Even if landscaping was proposed to the appeal site's boundaries, the proposed development would have a significant visual impact on this countryside setting. By introducing dwellings to an open area of grassland on Station Road's undeveloped eastern side, the sense of openness within this part of Wendling would be reduced. This intrusion of built development would be furthered by the likely introduction of residential paraphernalia and additional traffic and activity in and around the proposed dwellings. This would detract from the area's rural character and appearance.
7. Although it could be carefully designed to restrict the houses' height; ensure high quality design, landscaping, and good living conditions; provide appropriate parking, vehicular access, refuse storage and collection; and incorporate ecological measures, this would not overcome the fundamental harm to the area's character and appearance that I have identified.
8. I note the proximity of the site to regular bus services between Norwich and Peterborough along Swaffham Road and the A47; the availability of services, facilities and employment opportunities in Wendling and in nearby Dereham; the need to bring forward smaller housing sites; the availability of rural housing and the importance placed by national policy and guidance on delivering rural housing to support thriving rural communities. While I also acknowledge the appeal decisions¹ supplied by the appellant, including one for a self-build home in Bradenham, I must deal with this appeal on its own merits and under the relevant development plan in place at the time of reaching my decision.
9. The appellant refers to case law² on isolated dwellings and considers that the proposal would be compliant with BLP Policy HOU 05 which deals with residential development in smaller villages or hamlets without settlement boundaries. I am not persuaded that it could be considered to be sensitive infilling or to round off a cluster of dwellings with development to its north. Furthermore, the proposed development's overall sustainability does not mitigate my concerns about its effect on the area's character and appearance.
10. With regard to five-year housing land supply, the Council considers that it presently has a supply of 5.26 years and the appellant does not seek to question this. The appellant refers to appeals³ which address the National Planning Policy Framework's (the Framework) objective of significantly boosting the supply of homes. However, in those specific instances, the Inspector did not find harm to character and appearance resulting from the proposals. In this appeal, notwithstanding the appellant's difficulty in finding a home locally and the Framework's importance as a material consideration, harm to the area's character and appearance and conflict with development plan policies would not be outweighed by the benefits of providing three houses.
11. Concluding on this main issue, the proposed development would have a harmful effect on the character and appearance of the area. It would conflict with BLP policies ENV 05, COM 01 and GEN 02 and paragraphs 8 and 127 of the Framework. BLP Policy ENV 05 requires development to contribute to and where possible enhance the local environment by recognising the countryside's

¹ APP/L2630/W/15/3003743, decision issued 29 September 2015; APP/F2605/W/16/3148954, decision issued 8 July 2016; APP/F2605/W/18/3198911, decision issued 21 August 2018; and APP/F2605/W/19/3233489, decision issued 8 November 2019.

² Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610

³ APP/L2630/W/18/3197272, decision issued 7 September 2018; and APP/D3505/W/18/3196882, decision issued 10 October 2018.

intrinsic character and beauty. BLP policies COM 01 and GEN 02 and paragraph 127 of the Framework deal with design, and amongst other things, require development to respond to and be sympathetic to local character, including the surrounding built environment and landscape setting. Paragraph 8 of the Framework sets out the three overarching economic, social and environmental objectives of sustainable development.

Conclusion

12. For the reasons given above, and having considered the concerns raised by interested parties, the appeal is dismissed.

Joanna Gilbert

INSPECTOR