

---

## Appeal Decision

Site visit made on 19 May 2020

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

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

**Decision date: 4 June 2020**

---

**Appeal Ref: APP/L2630/W/19/3243036**

**Land Adjacent to Grove Barn, Wacton Road, Forncett St. Peter, Norwich NR16 1JD**

- 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 J Fudge & S Nel against the decision of South Norfolk District Council.
  - The application Ref 2019/1237, dated 11 June 2019, was refused by notice dated 1 August 2019.
  - The development proposed is new dwelling and cartshed/garage and associated works.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application was made in outline with all matters reserved and that is the basis on which I have determined the appeal. I have had regard to the submitted plans but have considered all elements of these drawings as indicative.

### Main Issues

3. The main issues are whether the proposal would be an acceptable form of development in this location, with particular regard to (i) its effect on the character and appearance of the area and (ii) whether it would provide future occupiers with satisfactory access to services and facilities.

### Reasons

#### *Character and appearance*

4. The appeal site lies outside of any development boundary as defined within the South Norfolk Local Plan Development Management Policies Document 2015 (SNLP). For the purposes of planning policy, it is therefore within the countryside. Policy DM1.3 of the SNLP sets out that permission for development outside of settlements may only be granted where other policies allow for it or where there are overriding benefits in terms of economic, social and environmental dimensions as defined. The proposal has not been presented on the basis of any essential need for a countryside location and therefore in this respect the proposal is in direct conflict with Policy DM1.3.
5. The appeal site is a mostly undeveloped parcel of land, currently a grass paddock with some animal shelters situated at its eastern end. It is part of a

narrow strip of land situated between two access tracks. The strip of land has been sub-divided west to east by post and wire/rail fencing which continues around the paddock. The northern side of the strip of land is free from structures, rises slightly from the adjacent track and comprises mown grass. A mature hedge runs along the road frontage between the two access tracks. The appeal site also includes the access track along its south boundary which serves Grove Barn and other properties. The access track north of the site leads to a large agricultural building.

6. The appeal site and its immediate surroundings are prominent in the street scene, particularly when approaching along the road from the north. It provides a sense of openness and contributes positively to the rural character of the area. A public right of way (PRoW) runs west to east from the road, north of the access to the agricultural building. The road is narrow and distinctly rural in character with hedging and trees along both sides and agricultural land beyond. Development is sporadic and generally set back from the road, largely screened from view by mature hedgerow and trees.
7. Even though all matters are reserved for subsequent approval, a residential development at the site would stand out as being a discordant feature, sandwiched between two access tracks and largely unrelated to existing development. The proposal would introduce significant built form within the setting, reducing openness to the detriment of its surroundings.
8. Whilst the effects would be localised, the proposed development would be obvious from the street and from the PRoW; it would visually harm rather than positively contribute to its surroundings. I note the appellants' intention to provide an appropriate and attractive high-quality design, however, these matters are not before me for determination. In any case, irrespective of specific design details, residential development of the site and its associated domestic paraphernalia would erode the character of the countryside.
9. Whilst existing residential properties are in set-back positions at irregular intervals along the road, the proposal would not mirror any identifiable pattern of development, particularly given the unorthodox shape of the plot and its visibility within the street scene. Further, although the site does not lie within any special protected area, it still positively contributes to its surroundings.
10. I therefore conclude that the proposal would have a significant and harmful effect on the character and appearance of the area. Thus, the proposal conflicts with Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (JCS) and Policies DM1.4 and DM3.8 of the SNLP, which together, and amongst other matters, require development to protect and enhance the environment and existing locally distinctive character.

#### *Access to services and facilities*

11. The site is located west of the midpoint between two villages of Fornsett St Mary and Fornsett St Peter (the Fornsetts) and some 2.8km from the town of Long Stratton. The appellants acknowledge that amenities in the Fornsetts are limited to parish churches, a primary school and a village hall. However, a wide range of services and facilities are available in Long Stratton that could meet more than the day-to-day needs of future occupiers of the proposed development.

12. Whilst I am aware that there is a bus stop some 400 metres to the north of the appeal site and I have been advised that a bus service to and from Long Stratton is available several times a day, I do not have full details of the regularity of these services. I cannot be certain that it would provide a reasonable alternative to the use of private motorised transport. In any case, the distance to the bus stop, although not significant, would be along an unlit, narrow road without the provision of footpaths. I do not consider this route would be particularly attractive to pedestrians or cyclists, particularly in the dark or during inclement weather. I consider that regular use of the public transport provision would be unlikely.
13. My attention has been drawn to a number of appeal decisions that the appellants consider offer support to the acceptability of the appeal scheme. However, from the information provided it is clear that the schemes referred to are not directly comparable to the one before me. In one case, the proposal was for 3 dwellings located close to Long Stratton. The Inspector found that although routes were initially unlit and without footpaths there were public rights of way and green infrastructure routes also available which offered some degree of connectivity by means other than by private car. The other case, in an area outside of the Council's district, involved 30 self-build dwellings. It was considered that the benefits of the provision of that number of self-build properties outweighed the harm of the countryside location. Therefore, these decisions do not establish the suitability of the appeal site location or provide a justification for the appeal proposal.
14. Further, I appreciate that opportunities to maximise alternative transport solutions will vary between urban and rural areas, however, even taking this into account I consider that the proposal runs contrary to SNLP Policy DM3.10 and paragraph 103 of the National Planning Policy Framework (the Framework).
15. I therefore conclude that the proposal would not provide future occupiers with satisfactory access to services and facilities. Thus, it would conflict with JCS Policies 1 and 6 and SNLP Policies DM1.3 and DM3.10 which together seek to promote access to services and the use of sustainable transport.

### **Other Matters**

16. I have considered the support for the proposal in relation to increased natural surveillance; however, I have no evidence of anti-social behaviour being a problem in the vicinity of the site such as would be ameliorated by the proposed development. I also note support for the modern building design, but this is a matter reserved for later determination. These matters therefore weigh neither for nor against the proposal.
17. In addition to the appeal decisions mentioned above, my attention has also been drawn to development referred to as Old Sale Yard. The appellants contend that the location of this development, near to the bus stop mentioned above, demonstrates the suitability of the appeal site in respect of access to services. However, this development of 17 dwellings involved the removal of an oil depot and redevelopment of its site, including remediation of contamination. It was a 2011 permission which pre-dates both the local plan and the Framework. The circumstances that led to that development being considered acceptable, despite being located in the countryside, are so different to those of the case before me that I give it very little weight in my decision.

18. The appellants have put forward a number of benefits that they argue should weigh in favour of the proposal. However, whilst I have taken these into account, they would be very modest, commensurate with the provision of only one dwelling. Set against the harms I have identified they are not sufficient either singly or in combination to outweigh the conflicts with the development plan.

### **Conclusion**

19. There are no material considerations that indicate that the proposal should be determined other than in accordance with the development plan. I therefore conclude that the proposal would not be an acceptable form of development in this location.

20. For the above reasons the appeal is dismissed.

*S Tudhope*

Inspector