



Appeal Decision

Site visit made on 8 July 2020

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2020

Appeal Ref: APP/U2615/W/19/3244090

Land off Market Lane, Filby Heath, Great Yarmouth, Norfolk NR29 3ST

- 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 Matthew Barnett against the decision of Great Yarmouth Borough Council.
 - The application Ref 06/19/0177/O, dated 22 March 2019, was refused by notice dated 17 December 2019.
 - The development proposed is a self-build detached barn-style dwelling with double garage also detached.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is for outline planning permission with all matters reserved.

Main Issue

3. The main issue in the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site forms part of an unused field which is on the corner of the A1064 and Market Lane. It lies in open countryside to the east of the village of Filby and is outside any settlement boundary as defined in the development plan. Further to the east at Filby Heath there is a small group of houses on both sides of the main road.
5. Policy CS1 of the Core Strategy¹ (CS) is an overarching policy that requires sustainable development. Part (a) of the policy requires development to complement the character, and part (f) requires protection of the borough's unique landscapes. Policy CS2 (a) of the CS restricts residential development in the countryside to conversions, replacement dwellings and schemes to meet rural needs.
6. Saved Policy HOU10 of the Local Plan² similarly restricts new dwellings in the countryside to those with a need in connection with agriculture, forestry, organised recreation or the expansion of existing institutions. Although the

¹ Great Yarmouth Local Plan: Core Strategy 2013 – 2030 (2015)

² Great Yarmouth Borough-Wide Local Plan (2001)

appellant has stated his intention to occupy the proposed dwelling in connection with other adjoining land that he owns, no specific agricultural or other need has been identified. Because the proposal is not required in connection with any of the uses stated in Policy HOU10 and is not one of the exceptions in Policy CS2 it does not accord with those policies.

7. The proposed dwelling would be prominently sited on a main road frontage and on a corner. It would clearly be separated from the small group nearby and from the village. There is a bungalow to the south of the site, which I understand was converted from former farm buildings. This is much less prominent, however, being set back a significant distance from the main road.
8. I saw that there is hedging around the site boundaries, but that this would not be sufficient to screen a dwelling from view. Because of its prominent location in open countryside, the proposed development would be visually intrusive and harmful to the character and appearance of the area. It would not accord with Policy CS1 of the CS. Neither would it accord with Policy CS11 (e) of the CS, which requires safeguarding and enhancement of landscape character.
9. The Council has advised that it cannot demonstrate a five-year supply of deliverable housing sites. On this basis, Policies CS2 and HOU10, which are policies that are most important for determining the application, are out-of-date. In accordance with paragraph 11 of the National Planning Policy Framework (the Framework), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
10. The site is reasonably close to the group at Filby Heath, the Council stating that this distance is 60m. It is also quite close to the barn conversion on Market Lane. However, the proposed dwelling would be physically separate from any settlement and surrounded by open countryside. It would be remote from the village of Filby, being about 600m away. Paragraph 79 of the Framework states that isolated homes in the countryside should be avoided. In my view the proposal would be isolated in the sense that it would clearly be outside any settlement or group of buildings.
11. However, irrespective of whether or not the proposal would offend paragraph 79, paragraph 170 of the Framework requires recognition of the intrinsic character and beauty of the countryside in decision-making. For the reasons given above, the proposal would harm the character and appearance of the countryside and on this basis alone would not accord with the Framework.
12. The proposal would be of economic and social benefit in providing a new dwelling and helping to address the housing shortfall. The proposed self-build dwelling is a specific type of housing for which there is a need. However, the contribution that would be made to the housing shortfall would be very limited and, on this basis, I give the social and economic benefits limited weight.
13. On the other hand, I give significant weight to the harm to the character and appearance of the area that I have identified. This significantly and demonstrably outweighs the weight that I have given to the benefits.
14. I note that the distances to facilities are comparable to those from another development permitted by the Council, but this does not alter my conclusion.

Conclusion

15. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR