
Appeal Decision

Site visit made on 4 August 2020

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 17 August 2020

Appeal Ref: APP/F2605/W/20/3249898

Land at Green Lane, Beetley, Norwich

- 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 Mrs Lynda Lambert against the decision of Breckland Council.
 - The application Ref 3PL/2019/1297/O, dated 13 October 2019, was refused by notice dated 9 December 2019.
 - The development proposed is residential development.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is for outline permission with all matters being reserved for future consideration except access. A site layout plan (Drawing No 01/01) was submitted with the application. I have taken the details shown on this plan that relate to appearance, landscaping, layout and scale as being indicative only.

Main Issues

3. The main issues are: -
 - Whether the site is a suitable location for three new dwellings having regard to local policy for the delivery of housing; and: -
 - The effect of the proposal on the character and appearance of the site and the surrounding area with particular regard to the countryside and trees.

Reasons

Suitable location for three dwellings

4. Beetley is a village identified in Policy GEN03 of the Local Plan as a 'village with boundary'. The village retains a rural setting within open countryside. Under Policy GEN05 development outside the defined settlement boundaries will only be acceptable where it is compliant with all relevant policies set out in the development plan, including, amongst other policies listed, Policy HOU04 which allows development immediately adjacent to the settlement boundary, subject to certain criteria.
 5. The appeal site lies at the junction of Elmham Road with Green Lane and High House Road and is part of a field laid to grass, but containing a number of trees that are subject to a Tree Preservation Order (TPO). The site is bounded on
-

three sides by mature hedging, including the two sides facing onto the roads. These hedges provide a degree of screening of the development. Opposite the site, across Elmham Road lie open fields, whilst across Green Lane lies residential development on the outskirts of Beetley. Along Elmham Road development becomes increasingly sporadic, becoming open countryside.

6. There is no disagreement between the parties that the site lies outside the settlement boundary for Beetley as identified on the Proposals Map accompanying the Local Plan. It is therefore designated as countryside. Together Policies GEN01, GEN03, and GEN05 establish a spatial strategy and development hierarchy that seek to protect countryside and concentrate development growth in more sustainable locations.
7. Policy HOU04 allows development immediately adjacent to the settlement boundary, provided that it is supported by other policies within the development plan and satisfies other criteria, including the requirement that the development is of an appropriate scale and design to the settlement.
8. The appeal site is separated from the settlement boundary by the intervening Green Lane, and the proposal would, therefore, be contrary to Policy HOU04.
9. My attention has been drawn to other recent consents in the area. Whilst they are outside of the development boundary, in one case the application was for redevelopment of a site which already contained substantial buildings, in the other the development was for holiday accommodation. As such I do not consider that these developments constitute a contextual parallel to the case before me. I have, in any case, determined this appeal on its own merits.
10. I therefore find that the proposal would not be a suitable location for three new dwellings having regard to local policy for the delivery of housing and is contrary to Policies GEN01, GEN03, GEN05 and HOU04 of the Local Plan.

Character and appearance

Countryside

11. The proposal would extent ribbon development out into the open countryside and along the open side of Green Lane. The dwellings, together with their associated residential paraphernalia would increase the urbanisation of the countryside. Although screened from the road to a degree by the existing hedges this impact would be noticeable from the public highway and from the dwellings on the opposite side of Green Lane. The proposal would lie outside the perimeter of buildings within the village group and would not “infill” between dwellings. Currently the site provides a distinct, identifiable, change between the open countryside and the village. This identifiable boundary would be lost and this loss, together with the increased urbanisation of the countryside would constitute harm.

Trees

12. Whilst the layout of the proposal is a matter for determination at a later date, the size of the site and scale of the proposed development would necessitate the removal of several trees within the site, and these trees are subject to a TPO. A tree survey and arboricultural impact assessment were submitted in support of the proposal which identifies that the trees are in poor condition and

that their replacement would improve the landscaping and justify their removal.

13. The footprint of the dwellings, spaced within the site, and their associated vehicle access and parking would occupy a significant part of the site and I have little evidence before me to demonstrate that a satisfactory replacement planting scheme could be achieved.
14. The loss of the trees would reduce the verdancy of the site and this effect would be noticeable from the nearby highway and the dwellings fronting Green Lane. In this case, this loss of verdancy would constitute harm to the appearance of the countryside.
15. I therefore find that the proposal would result in harm to the character and appearance of the site and the surrounding area and would, therefore, be contrary to Policies GEN02, GEN05, COM01 and ENV05 of the Local Plan in as much as these require development to respect and be sensitive to the character of the surrounding area and make a positive architectural and urban design contribution to its context and location. The proposal would also be contrary to the aims of Policy ENV06 of the Local Plan which seeks to retain protected trees except where it would allow for a substantially improved overall approach to the design and landscaping of the development.
16. For similar reasons the proposal would be contrary to the aims of paragraph 27 and Section 15 of the National Planning Policy Framework -2019- which have similar goals.
17. In as much as the proposal would be out-of-keeping with the character of the area it would also be contrary to Policy HOU04 of the Local Plan, in that this requires that the development is of an appropriate scale and design to the settlement.

Other Matters

18. The development would provide benefits in terms of delivering an additional three homes to boost housing supply albeit that, given the scale of the development, this benefit would be limited. There would be minor benefits to the local economy in terms of short term employment in the construction industry and longer term support to shops and businesses and facilities within the village.
19. Taken together, and given the scale of development, these limited benefits do not alter my overall conclusion.

Conclusion

20. For the reasons given above the appeal is dismissed.

I Dyer

INSPECTOR