
Appeal Decision

Site visit made on 11 August 2020

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2020

Appeal Ref: APP/F2605/W/20/3248549

Land at Brecklands Green, North Pickenham, Swaffham, Norfolk PE37 8LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Terry Gray against the decision of Breckland District Council.
 - The application Ref 3PL/2019/0656/F, dated 5 June 2019, was refused by notice dated 16 January 2020.
 - The development proposed was originally described as 'Residential Development - 6 new houses and 2 double carports (Amended scheme)'.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. Notwithstanding the original description of development in the heading above, during the course of the application, the appellant amended the scheme from 6 new houses and 2 double carports to 4 new houses and 2 double carports. A revised description of development was agreed by the appellant and the Council to reflect these changes. The Council determined the application on that basis and so shall I.

Main Issues

3. The main issues for the appeal are:
 - The effect of the proposed development on the character and appearance of the area; and
 - Whether the proposed dwellings would be in a suitable location having regard to policies for housing development in villages and hamlets.

Reasons

Character and appearance

4. I saw at my site visit that the appeal site is an area of open land enclosed by housing to two sides with roads to the other sides. To the north is situated an open area with planning permission for housing development. The site provides an open setting for dwellings at Brecklands Green which have been developed around the open land and gives the area a sense of openness and spaciousness. Whilst the appeal site is private land, it nevertheless makes an important contribution to the character and appearance of the area.

5. It is proposed that the site is developed with four dwellings. These would be similar in terms of design and materials to those in the area, with improvements made to the setting of the United States Airforce (USAF) memorial. Whilst the existing trees would be retained and the site would be developed at a relatively low density, the development would lead to the loss of the open land giving the area a more built up appearance. This would give rise to a loss of openness, spaciousness and rural character, causing harm to the character and appearance of the area. Although the appeal site is subject to an open space designation, the Council accept that should it be developed, a sufficient amount of public open space would remain in the village. This does not however reduce its value in terms of its positive contribution to the character and appearance of the area.
6. To conclude on this matter, the proposal is contrary to Policies GEN 02 and COM 01 of the Breckland Local Plan adopted in 2019 (BLP) which are concerned with achieving high quality design and together require that development respects and is sensitive to the surrounding area. It is also contrary to national policy as set out in paragraph 127 of the National Planning Policy Framework (the Framework) which is concerned with achieving well designed places.

Suitable location

7. Policy GEN 03 of the BLP sets out the settlement hierarchy for the district, identifying where most new development needs will be met. The settlement hierarchy is based amongst other things, upon the utilisation of existing infrastructure and resources. The BLP does not define settlement boundaries for settlements with few services and facilities as it is considered that these locations are unsustainable for additional growth.
8. North Pickenham is one of the small villages and hamlets for which a settlement boundary is not drawn in the BLP. BLP Policy HOU 05 sets out that development in smaller villages and hamlets outside of settlement boundaries will be limited except where it would comply with other policies within the development plan and subject to a number of criteria being met.
9. The appeal proposal is consistent with the first criterion of Policy HOU 05 as the appeal scheme would round off an incomplete cluster of dwellings, having regard to the consented site to the north, and has access to an existing highway. It is also consistent with the third criterion as it would make a modest contribution to the historic nature of the settlement through the enhancement to the USAF memorial. However, whilst I have had regard to the land being in private ownership and it not being available for public use, and that the site itself has changed over time, I nevertheless find it has value in contributing to the character and distinctiveness of the rural scene. In addition, the proposal would lead to the loss of the remaining open area of Brecklands Green, which provides a visually important gap. Whilst the development of 4 dwellings may provide for a more open layout with soft landscaping than the original scheme and be of a style and scale in keeping with the existing development, I find that the development nevertheless conflicts with BLP Policy HOU 05 due to the loss of a visually important gap.
10. The Parties have referred to an appeal decision (APP/F2605/W/17/3183968) relating to the development of land to the north of the appeal site. That decision was made prior to the adoption of the BLP and the planning policy context has therefore changed since. In that decision, the Inspector

acknowledged that residents of that scheme would be substantially dependant on the private car as a means of travel for shopping, health and work needs, to which must be added primary education since the village school has closed, meaning that any pupils would have to travel to schools elsewhere. Albeit, some journeys may be combined with other purposes. I note also that the former school site has been taken on as a community hub and have regard to the evidence about other community facilities in the village. Future residents would however be reliant upon the private car to meet many day to day needs.

11. To conclude on this matter, the proposal would not be in a suitable location having regard to policies for housing development in villages and hamlets and conflicts with BLP Policies GEN 03 and HOU 05.

Other matters

12. The appellants ecology report identifies that the appeal site is situated about 2.1 kilometres from the Breckland Special Protection Area (SPA), for which the qualifying species are Stone Curlew, Woodlark and Nightjar. I shall not consider the implications of the appeal for this European site as I am dismissing the appeal for other reasons.
13. The appellant in his supporting statement for the planning application stated that there was a shortfall in housing land supply at that time. Since then, the BLP has been adopted and the Council now confirm that they can demonstrate a 5 year housing land supply. This has not been disputed by the appellant in this appeal.
14. I have had regard to the benefits of the scheme stated, including those financial benefits arising during construction and support to local businesses and facilities, but these matters do not lead me to a different decision.

Conclusion

15. For the reasons given and having considered all matters raised, I conclude that the appeal should be dismissed.

Philip Lewis

INSPECTOR