
Appeal Decision

Site visit made on 5 August 2020

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday, 21 September 2020

Appeal Ref: APP/F2605/W/20/3251745

Land off Marlpit Road, Thompson, IP24 1PR

- 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 Roger, Tony and Julia Parrot against the decision of Breckland District Council.
 - The application Ref 3PL/2019/1433/O, dated 15 November 2019, was refused by notice dated 14 February 2020.
 - The development proposed is residential development (3new dwellings) outline permission.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application has been made in outline with access, layout and scale to be considered at this stage and appearance and landscaping reserved for future consideration.
3. Reason for refusal 2, relates to insufficient information being provided in respect of the ecological implications of the scheme. I have taken this reason for refusal to be based on the response from the Ecological and Biodiversity Consultant at Norfolk County Council. This indicated that the Shadow Habitat Regulation Assessment report stated the proposed development will contribute to the combined impact from residential growth locally. Therefore, there is potential for in-combination effects on the Breckland Special Protection Area (SPA) and an Appropriate Assessment will be required. I have taken the reference in the reason for refusal to insufficient information being provided in respect of the ecological implications of the scheme to mean a lack of an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017 (CHSR).

Main Issues

4. The main issues are the effect of the proposed dwellings:
 - on the character and appearance of the area having regard to its rural location; and
 - on the integrity of the SPA.

Reasons

Character and appearance of the area.

5. The village of Thompson is a loose knit collection of dwellings interspersed by agricultural land, trees and hedgerows. There are farmsteads or former farmsteads on the edge of the village. New housing has been developed, primarily fronting the principal village roads. However, the village retains its overriding rural character due to the close connection between its buildings and the countryside.
6. Marlpit Road is typical of the roads within the village. It is single track for much of its length. Alongside it is a mixture of housing and agricultural land. The appeal site lies in an area of the village, which is rural in character, primarily derived from views into open countryside, the presence of a working farm and trees and hedgerows. It has the appearance of a meadow and, apart from the temporary fencing to hold horses, has no defined boundary between it and the wider countryside. The part of the road where the appeal site is located has a rural character and has a strong connection to the more open countryside surrounding the village.
7. The dwellings would block views from the road into the open countryside. They would introduce an urbanising feature into this rural part of the village through the buildings themselves and the drives and parking areas that would be established between them and the road. The development would also necessitate the removal of parts of the hedgerow and vegetation fronting the road thereby increasing the prominence of the development in the street scene and eroding its rural character.
8. Whilst I do not consider the site to be isolated, it does contribute to the rural character of the village by reinforcing its connection with the open countryside within which it is set. In terms of whether the development is 'rounding off' or 'infill', the appeal site is only connected to housing development on its northern edge. There is undeveloped land, a rural lane and agricultural buildings on other boundaries. As the site does not have a close connection with the built areas of the village, I do not consider that the proposed development would be 'rounding off' or 'infill'.
9. The Breckland Local Plan 2019 (LP) contains Policies GEN 02 (Promoting High Quality Design), COM 01 (Design) and ENV 05 (Protection and Enhancement of the Landscape) which in combination, indicate new development should respect its surroundings, be sensitive to the character of the surrounding area and protect the countryside. These policies reflect the requirements of paragraphs 127 and 170 of the National Planning Policy Framework (the Framework).
10. The appellant has made reference to the proposal being supported by Policy HOU 04 of the LP. However, for the development to conform with the criteria set out in this policy it must also be supported by other policies within the development plan (with the exception of the policy relating to settlement boundaries in GEN 05). It is clear that the proposal is not supported by other policies within the development plan.

11. I therefore conclude that the proposal would harm the character and appearance of the area. Consequently, it would conflict with the Breckland Local Plan.

Effect on the integrity of the SPA

12. The proposal falls within the zone of influence of a European designated site, the Breckland Special Protection Area (SPA). New residential development could potentially have a significant effect on the sensitive interest features of this European designated site, through increased recreational pressure. It is my duty, as the competent authority to consider whether the proposed development would constitute a likely significant effect on the sensitive interest features of the designated site as set out within Regulations 63 and 64 of the CHSR.
13. It is anticipated that, without mitigation, new developments in this area could have a significant effect on the sensitive interest features of these European designated sites through increased recreational pressure, particularly when considered in combination with other plans and projects.
14. Therefore, by virtue of its protected status, an Appropriate Assessment under the CHSR would be required were I minded to allow the appeal. Nevertheless, considering that the appeal is to be dismissed on other matters mentioned in the decision, no further consideration is required on this matter.

Other Matters

15. I note the appellant has supplied details of other sites, decisions and appeals which he considers to be comparable to this proposal. I have had regard to these sites, decisions and appeals in arriving at a conclusion on this proposal. However, the impact of a proposal on the character and appearance of an area is, by its nature, specific to that location. Therefore, whilst in some respects the sites are similar to the appeal proposal, the character and appearance issues between the locations are inevitably different. In any event I have to decide this appeal on the merits of this particular case.
16. The appeal proposal could contribute to the viability of the services in Thompson and to the overall supply of deliverable housing sites within the District. I note that the Council currently has a 5-year supply of deliverable housing sites. However, the contribution the site would make to both the housing land supply in the District and to the overall viability of services in Thompson would be minimal. This would not outweigh the conflict with the policies of the development plan I have identified.

Conclusions

17. In conclusion I find that the appeal should be dismissed.

Peter Mark Sturgess

INSPECTOR