



Appeal Decision

Site visit made on 8 September 2020

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 7th October 2020

Appeal Ref: APP/F2605/W/20/3254609

Land south of Dereham Road, Garvestone NR9 4QT

- 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 Ivan and Mrs Heather Garrod against the decision of Breckland District Council.
 - The application Ref 3PL/2020/0328/O, dated 19 March 2020, was refused by notice dated 1 June 2020.
 - The development proposed is the erection of 3 no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The proposal seeks outline planning permission, with all matters reserved except access. I have considered the appeal on this basis and have treated any plans in relation to the reserved matters as illustrative.

Main Issue

3. The main issue is whether the proposed development would provide a suitable site for housing, having regard to the proposal's effect on the character and appearance of the area.

Reasons

4. Policy GEN05 of the Breckland Local Plan (2019) ("the BLP") sets out a development hierarchy based on settlement boundaries. It states that development is restricted outside the defined boundaries, in order to recognise the intrinsic character and beauty of the countryside. Development in such locations will only be acceptable where it is compliant with all relevant policies in the development plan.
5. The appeal site lies outside the defined settlement boundaries and therefore the proposal is subject to Policy HOU05 of the BLP, which concerns small villages and hamlets. This policy sets out that development in such locations will be limited, apart from where it would comply with other policies within the development plan, and further criteria.
6. The first criterion states that development will be permitted where it would comprise of sensitive infilling and rounding off of a cluster of dwellings. The proposal would not form infilling because built development will only lie to one side of the site once an adjacent development, which appears from the extant

field boundary to occupy a separate area of land to which different considerations would have applied, is complete. The policy's supporting text defines rounding off as the completion of an incomplete group of buildings on land which is already partially developed and in such a way which will either complete the local road pattern or define and complete the boundaries of the group.

7. The appeal site forms the corner of an open field which is not currently subject to any development. Thus, it is not already partially developed and therefore the appeal proposal would not form "rounding off" of a cluster of dwellings.
8. Two further criteria of Policy HOU05 of the BLP state that development should be of an appropriate scale and design to the settlement, and that proposals should not harm or undermine a visually important gap that contributes to the character and distinctiveness of the rural scene.
9. Open fields regularly punctuate the built development throughout the village of Garveston, and this provides a loose pattern of development which results in a spacious and rural appearance. The appeal site lies towards the centre of this relatively linear settlement, and its open appearance and the far-reaching views which it allows for produce an impression of open countryside within the village. The site consequently makes an important contribution to these integral aspects of the village's appearance, and forms a visually important gap of the type envisaged within Policy HOU05.
10. The proposal would erode the characteristic spaciousness which the site contributes to the village's appearance by the introduction of built form within part of it. This would have an urbanising effect on the views of open countryside within the village which the site provides, and would consequently cause moderate harm to this important aspect of the area's appearance.
11. Several areas of development within the village lie to one side of the road only, so that I do not concur with the submission that in mirroring the extent of housing to the opposite side of Dereham Road the proposal would provide a characteristic symmetry to the pattern of development.
12. The surrounding development comprises a combination of single and two-storey dwellings and thus I am not convinced that the provision of single storey dwellings at the site would form a benefit of the proposal through compliance with the prevailing scale of development. Furthermore, I do not consider that the prevailing settlement pattern of road-fronting development is so important a characteristic that it merits replication even if unacceptable harm were to result from other aspects.
13. Thus, the proposed development would not provide a suitable site for housing, having regard to the proposal's effect on the character and appearance of the area. It therefore conflicts with Policies GEN05 and HOU05 of the BLP, the aims of which are set out above. Further conflict exists with Policies COM01 and GEN02 of the BLP, which require proposals to respect the character of the local area. Additional conflict exists with the design provisions of the National Planning Policy Framework (2019) ("the Framework").

Other Matters

14. The Council considers that it can demonstrate a five year supply of deliverable housing sites and I have no evidential basis to take a different view.

Nevertheless, my attention has been drawn to two appeal decisions¹ relating to sites within other council areas, which concluded that it was not necessary to determine whether policies which were most important for determining those appeals were out-of-date (in accordance with paragraph 11 of the Framework). Both sites lay outside development boundaries and the Inspector noted the support of both proposals for the Government's objective of significantly boosting the supply of homes.

15. I acknowledge that this proposal would make a contribution to this objective which would be of a modest scale, given that it relates to the construction of three dwellings. However, I note that the Inspector found the first proposal's effect to be acceptable with regard to the main issues. The Inspector considered that the second proposal would fit in with the grain and pattern of surrounding development, and that national policy considerations overcame the identified harm with regard to location.
16. I have found that the appeal proposal would result in moderate harm to the appearance of the area. As a result, there are consequently considerable material differences between the proposal and the other appeal schemes. Accordingly, I attach minimal weight to their relevance in determining the appeal.
17. The appellants submit that development plan policies are inconsistent with national policy. However, distinctive local policies which promote appropriate development need not necessarily be inconsistent with national policy because they adopt a particular approach which is not specifically referred to in the Framework or the Planning Practice Guidance. In particular, there is nothing in the Framework to indicate that the definition of settlement boundaries is no longer a suitable policy response. Therefore I do not identify any inconsistency in this regard.
18. I concur with the conclusion of the Inspector for a recent appeal² where it was found that the Covid-19 pandemic is likely to have implications for the housebuilding industry, as with other sectors of the economy. Whilst the pandemic is currently ongoing, its full economic effects remain unknown and therefore I attach minimal weight to the submission that the issue lends weight to a grant of permission even where harm has been identified to result.
19. The Framework addresses the location of sites to meet local business and community needs in rural areas at paragraph 84. However, the section refers to developments such as business, tourism, leisure and community facilities, rather than housing. Therefore I do not concur with the submission that this paragraph provides support for the appeal proposal.
20. I have had regard to other matters raised, including concerns about the proposal's effect on the living conditions of nearby occupiers and on wildlife. However, as I am dismissing the appeal on the main issue for the reasons given above, I have not pursued these matters further.

Planning Balance and Conclusion

21. The proposed development would contribute to the supply of homes and to the enhancement or maintenance of the vitality of the local rural community

¹ APP/L2630/W/18/3197272 and APP/D3505/W/18/3196882

² APP/X0360/W/19/3238048

through the support of occupiers for local services and facilities. Similarly, social benefits would result from the social interaction of occupiers with residents. Economic benefits would arise from the construction of the development. I acknowledge that small sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. However, due to the small size of the development these would form modest benefits, which would not outweigh the moderate harm identified above.

22. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR