



Appeal Decision

Site visit made on 28 October 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2020

Appeal Ref: APP/Y2620/W/19/3243855

Site adjacent to 1 Harvey Estate, Hall Road, Gimingham, Norfolk NR11 8HA

- 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 Alex Mayes against the decision of North Norfolk District Council.
 - The application Ref PF/19/0870, dated 20 May 2019, was refused by notice dated 31 July 2019.
 - The development proposed is construction of two storey detached cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether the proposal would be appropriate in this location, with particular regard to accessibility to services and facilities.

Reasons

3. Gimingham is a small village containing rather dislocated sections of frontage development and one estate of local authority-built housing. This estate has been laid out in a regular and quite spacious fashion, allowing a former side garden to provide the plot for the detached cottage proposed.
4. Policy SS1 of the Council's Core Strategy¹ (CS) focusses the majority of new development into North Norfolk's towns and larger settlements, with a lesser amount into those smaller villages with services. Gimingham has a bus service, a village hall and a playing field but little else necessary to meet regular household requirements. Having not been defined a service village in the CS, the settlement falls within countryside for policy purposes. CS Policy SS2 limits new development here to that requiring a rural location or for specific reasons, including the provision of affordable housing, none of which apply to this proposal.
5. The surrounding highway network comprises country roads that are unlit, without footways and mainly quite narrow. The services available in the nearest villages and larger centres are not a safe or convenient walking distance from the appeal site. The bus service is not shown to be at such a frequency as to avoid occupiers of the dwelling proposed being mainly dependent upon private car use to meet regular needs.

¹ North Norfolk Local Development Framework Core Strategy incorporating Development Control Policies – September 2008

6. The proposal would conflict harmfully with CS policies SS1 and SS2. This is insofar as these seek sustainable patterns of development by focussing new market housing in settlements with a good range of services and restricting this in the countryside, where there would be a greater dependency on travel by car to meet regular household needs.
7. In respect of rural housing, there is no fundamental conflict between CS policies SS1 and SS2 and paragraph 78 of the National Planning Policy Framework (the Framework). This states that policies should identify opportunities for villages to grow and thrive, especially where this will support local services and that where there are groups of smaller settlements, development in one village may support services in a village nearby. The growth focussed in the service villages identified in CS Policy SS1 helps support the facilities these contain, which are then available to all surrounding settlements.
8. Although the proposal would not be an isolated home in the countryside, which Framework paragraph 79 seeks to avoid, this does not prevent restrictive development plan policies over new housing in places where services are lacking. With regard to adhering to the advice of the national Planning Practice Guidance over rural housing², the CS has the robust evidential basis for a restriction on new market housing in smaller settlements with few services.
9. This proposal gains little material support from the recent appeals allowed in Tharston, South Norfolk³ and Newman's Green, Babergh⁴. These two proposals were within small settlements, close to larger centres. The plot in Gimingham is within a location relatively more remote than either of these cases. This quite tightly fitting side garden scheme, whilst found by the Council to be of no significant harm to the character and appearance of the settlement, is quite unlike these other two examples, which were more obviously a rounding off and an infill of small housing areas respectively.
10. Two recent appeals in Breckland District are also cited, in Besthorpe⁵ and Bradenham⁶, where single dwellings were allowed contrary to development plan policy. Both decisions were made at a time when the Council acknowledged a lack of a demonstrable five-year housing land supply. This would have meant the development plan having been inarguably out-of-date for this reason, requiring both Inspectors to give weight to the so-called 'tilted balance', under what is currently paragraph 11 of the Framework. In North Norfolk, a five-year housing land supply can be demonstrated, and the appellant has not provided a detailed challenge to this. Consequently, in this appeal, I have no grounds to find the CS as out-of-date for this reason.

Balance and Conclusion

11. Despite the age of the CS, the policies most important for determining this appeal are SS1 and SS2. These remain up to date through their general consistency with the objectives of the more recent Framework for securing sustainable development. This is through setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations

² Paragraph: 009 Reference ID: 67-009-20190722 Revision date: 22 07 2019

³ APP/L2630/W/18/3197272

⁴ APP/D3505/W/18/3197882

⁵ APP/F2605/W/18/3198911

⁶ APP/F2605/W/19/3233489

which are sustainable, thereby limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions. Although the Framework recognises that opportunities to maximise sustainable transport solutions vary between urban and rural areas, it does not actively promote new housing in the countryside where such a location is not required and accessibility to services is more limited.

12. The demonstrated five-year supply of housing land is not an upper limit on provision. The dwelling proposed would be a readily deliverable scheme, providing small social benefits in meeting a general need to boost housing supply and offering tangible economic benefits through its construction, future servicing and additional household spend. However, these benefits would not outweigh the significant harm found through a conflict with development plan policy over the location of new housing and the poor accessibility of this site to essential services, other than by means of private car journeys. Although these might be mainly short trips, they would be regular and contrary to the objectives in both the development plan and the Framework to seek to achieve sustainable development. I consider the proposal would not be appropriate in this location, with particular regard to its relatively poor accessibility to services and facilities. Consequently, having taken account of all further matters raised, I conclude the appeal should be dismissed.

Jonathan Price

Inspector