



Appeal Decision

Site visit made on 13 January 2021

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH January 2021

Appeal Ref: APP/L2630/W/20/3258604

The Nurseries, Ringland Lane, Costessey NR8 5BG

- 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 Jamie Marsh against the decision of South Norfolk District Council.
 - The application Ref 2020/0725, dated 19 April 2020, was refused by notice dated 9 June 2020.
 - The development proposed is described as a new 3 bedroom bungalow and detached garage, within the ground of The Nurseries, Ringland Lane, Costessey.
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Decision

1. The appeal is dismissed.

Main Issue

2. There are two main issues. These are the principle of development with specific regard to its location and its effect on the character and appearance of the area.

Reasons

The Principle of Development

3. Policy DM 1.3 of the Local Plan¹ sets out the Council's position on ensuring development is sustainably located. It goes on to state that development should be located within the development boundaries of settlements in a hierarchical manner. DM 1.3 allows for development outside of limits, in the countryside. Relevant to the appeal scheme is criteria (d) which requires a proposal to otherwise demonstrate overriding benefits in terms of economic, social and environmental dimensions. Policy DM 3.10 states, amongst other things, that development should support sustainable transport objectives and be designed to reduce the need to travel, maximising the use of sustainable forms of transport appropriate to the location.
4. Whilst Costessey is one of the district's larger settlements and thus one of the focusses for growth, the appeal site is located outside of its defined boundary. As such, and in planning terms, it is in the countryside. The appeal site is behind a dwelling that fronts Ringland Lane. For some of its part, this road has a segregated footway and cycle path that leads, via West End, into Costessey

¹ South Norfolk Local Plan Development Management Policies Document 2015

which has a wide range of services and facilities. That footway does not, from my observations on site, run as far as the appeal site. In fact, it stops some distance short of it. One could walk on the road, but it is narrow, unlit, has uneven verges and carries vehicles at the national speed limit. I would therefore be content to say that journeys on foot, particularly for those less mobile or with small children, would be undesirable. More likely than not therefore, journeys to and from the dwelling to access services would be via the use of the private car. This is the least sustainable travel option. I have no further evidence before me pertaining to other travel options.

5. I note that there is a primary school as part of the Queens Hill estate which is to the south. As far as I could see from my site visit however, this school is accessible via the same off road route to the aforementioned Ringland Lane footway and cycle path. The appellant does mention that this estate will soon have some shops. This is however a future possibility and not definite and in any case, they would be as accessible as the school as far as I could see.
6. With the above in mind, it seems to me that the appeal scheme would not encourage sustainable patterns of new development. This would be contrary to the hierarchical approach to development within boundaries advocated by Policy DM 1.3 and against the thrust of DM 3.10 in regard to travel by sustainable means and reducing the need to travel generally. Having regard to overriding benefits and the relevant criteria of Policy DM 1.3, none have been demonstrated in the evidence that would be sufficient to outweigh the harm or the multiple conflicts with the development plan that I have found.

Character and Appearance

7. The appeal site is a small rectangular parcel of land laid to grass for its most part. It is located between an existing dwelling that fronts Ringland Lane and some buildings that form a commercial nursery. It is accessed via a shared private driveway that leads to the car park for the nursery. It is enclosed on all sides by close boarded timber fencing. The proposed dwelling would be in amongst two others, the second being The Cottage to the opposite side of the access. They are of the frontage type, set in spacious plots, set back from and facing the road.
8. The dwelling would be relatively well screened due to its backland location. Whilst development in the immediate area is single tier, the presence of the nursery business adds some depth. That said, it would still be noticeable to patrons of the nursery business and its plot would lack the spaciousness of the others. The dwelling would be sat very close to its boundaries and thus, in character terms, somewhat shoehorned into an available space, appearing awkward and out of place.
9. For these reasons I feel the appeal scheme would be harmful to the character and appearance of the area and consequently contrary to Policy 2 of the JCS² and Policies DM 1.4 and DM 3.8 of the Local Plan. Amongst other things, these policies seek to ensure that new development is designed to high quality standards that respect local distinctiveness and make a positive contribution to local character.

² Greater Norwich Development Partnership Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, amended 2014

Other Matters

10. The appellant does not dispute the Council's claim that they are able to demonstrate the supply of housing sites required by the Framework³. The Council refer to a supply figure of 5.89 years courtesy of their most recent statement in the 2018-2019 Annual Monitoring Report. I have not been advised of a more up to date position or indeed if the evidence underpinning the AMR has been tested.
11. Should it be the case that the Council were unable to demonstrate the required supply of sites, I would be considering the appeal under the so called tilted balance of paragraph 11. Having considered the most important policies out of date, this balance explains that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
12. The appeal scheme would deliver a new house in an undersupply situation should there be one. This would add to choice and mix locally. The construction of the dwelling would support the local industry and there would be expenditure from occupants going forwards. Be these as they may, the effect of these benefits, taken together, would be limited by the scale of the appeal scheme as a single dwelling. Setting them against the adverse impacts I have found, of which there are more than one, which in themselves would conflict with the aims of the Framework to reduce the need to travel, promote such by sustainable means and ensure good quality contextually appropriate design and appearance to new development, I would accordingly conclude that they would be significantly and demonstrably outweighed when assessed against the policies of the Framework taken as a whole. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.
13. The appellant argues that due to an increase in people shopping online and supermarkets delivering, the need to access these services has invariably reduced. Whilst this may be true to a point, I would not feel comfortable, given the stances of both the development plan and the Framework, using this as a reason to justify new development where it patently should not be.

Conclusion

14. For the reasons I have set out above, the appeal is dismissed.

John Morrison

INSPECTOR

³ The National Planning Policy Framework 2019