



Appeal Decision

Site visit made on 2 December 2020

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 08th February 2021

Appeal Ref: APP/L2630/W/20/3255672

Land west of Milestone Lane, Wicklewood, Norfolk, NR18 9QL

- 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 D Coldham against the decision of South Norfolk District Council.
 - The application Ref 2019/2522, dated 12 December 2019, was refused by notice dated 13 February 2020.
 - The development proposed is erection for two single storey self-build dwellings and associated access.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue in this case is the effect of the proposal on the character and appearance of the locality.

Reasons

3. In the vicinity of the appeal site, the eastern side of Milestone Lane is generally characterised by a row of residential development fronting on to the highway. In stark contrast, opposite that row on the other side of the lane, built development is limited to a single small bungalow, Highview. For the most part, that section of lane adjoins fields on its western side.
4. The main section of the appeal site comprises the eastern part of a field, which fronts onto Milestone Lane. It shares its northern boundary with Highview, and its southern boundary adjoins a small area of land, which appears to be used as amenity space. The main section of the site would be accessed from an existing track that runs from Milestone Lane alongside the northern boundary of Highview. The appellant acknowledges that the site is situated in the open countryside and around 320 metres to the southwest of the defined settlement boundary for Wicklewood. From the adjoining section of the lane, long distance views of the countryside are available across the site. There is limited planting along its frontage, and I consider that the relatively open and undeveloped nature of the site makes a positive contribution to the character and appearance of the countryside thereabouts.
5. The proposal includes the erection of two single storey dwellings, the external surfaces of which would be constructed from materials in keeping with local

built development. However, together, the proposed dwellings would extend across almost the entire width of the appeal site, such that the long-distance views of the countryside across the site from the lane would be interrupted and replaced with views of blank rear walls.

6. I have had regard to the appellant's suggestion that when seen from Milestone Lane, the proposed dwellings would have the appearance of utilitarian former farm buildings. However, they would not be former farm buildings and to my mind, in the context of neighbouring built development predominantly characterised by dwellings whose road facing elevations are dominated by fenestration, the utilitarian character of the blank rear walls of the proposed dwellings would appear obtrusive and incongruous.
7. I conclude that the scheme would cause significant harm to the character and appearance of the locality. It would conflict with the aims of Policies DM 1.4(d), DM 3.8 and DM 4.5 of the *South Norfolk Local Plan Development Management Policies Document, 2015* (LP) as well as Policies 1 and 2 of the *Joint Core Strategy for Broadland, Norwich and South Norfolk, 2014* (JCS). Between them, and consistent with the *National Planning Policy Framework* (the Framework), these Policies seek to ensure that development does not make a negative contribution to local character and distinctiveness, and that it respects the landscape character of its immediate environment.

Other matters

8. Broadland, Norwich and South Norfolk have an adopted Joint Core Strategy; the JCS. The *Planning Practice Guidance* indicates that areas which have a joint plan have the option to monitor their 5-year housing land supply and have the Housing Delivery Test applied over the whole of the joint planning area or on a single authority basis. Whilst, for the reasons set out in its *Annual Monitoring Report 2018-19* (AMR), the Council's assessment of 5-year housing land supply is based on the whole Greater Norwich area, the appellant focuses on the position relative to South Norfolk on its own. The AMR identifies a housing land supply of 5.61 years for South Norfolk and 5.89 years for the wider Greater Norwich area. Based on his own assessment, the appellant has suggested that the deliverable supply would be likely to fall short of the expectation of the AMR in relation to South Norfolk such that the level of supply falls from 5.61 years to below the 5-year requirement by 291 dwellings; equivalent to a supply of 4.72 years. For the reasons set out below, I do not agree.
9. The largest potential shortfalls identified by the appellant are associated with 3 sites, each of which have outline planning permission: -200 units at Colney Lane; -180 units at Dereham Road; and, -160 units at Norwich Common. In response, the Council has set out the situation in relation to those sites and its own updated assessment relative to that set out in the AMR, which is: -63 units at Colney Lane; -15 units at Dereham Road; and, no reduction at Norwich Common. Across the 3 sites, this amounts to over 400 more dwellings than accounted for by the appellant. In my judgement, the Council's assessment is supported by clear evidence that housing completions will meet its expectations. At Colney Lane and Dereham Road progress has been made towards the discharge of pre-commencement conditions, the Council's assessment of likely delivery is informed by the developers' expectations and a substantial CIL payment has been made with respect to the Colney Road site, which I regard as a particularly strong indicator that they will proceed.

At Norwich Common the developer has a record of delivering significant numbers of dwellings on similar sized sites in the area and has also made a substantial CIL payment to the Council. Furthermore, the appellant has not provided any compelling evidence to show that delivery, if currently slowed by the pandemic, would not be likely to be recovered and ultimately achieved over the five-year period.

10. Against this background, I consider that whether judged on the basis of the Greater Norwich area or South Norfolk alone, the Council is able to demonstrate a 5-year supply of specific deliverable sites. It follows that the application of the 'tilted balance' set out in paragraph 11d) of the Framework is not triggered in this particular case.
11. I acknowledge that some services, facilities and job opportunities are likely to be reasonably accessible from the site by modes of transport other than by private car. For example, the appeal site is within reasonable walking distance of Wicklewood, a JCS Service Village which contains a number of services and facilities. In this respect, the scheme would be consistent with JCS Policies 1 and 6, LP Policy DM 3.10 as well as the Framework, insofar as they seek to minimise the need to use the private car, to promote healthy travel choices and thereby limit the contribution of transport to climate change. I have had regard to the Government's objective of significantly boosting the supply of homes and the Framework's aim of locating rural development where it will enhance or maintain the vitality of rural communities. However, whilst I acknowledge that the 2-dwelling scheme may well be built-out quickly, its contribution towards housing land supply in the area would be small and so I give it limited weight. Furthermore, the contribution made by future residents of only 2 dwellings to the viability and vitality of local shops and services would be small, as would any associated additional revenue due to the Council, such Council tax. Any local employment associated with the construction of the scheme would be short lived. I give those benefits of the scheme limited weight.
12. The appellant has indicated that the Council has recently approved planning applications for residential development in the countryside surrounding Wicklewood, one of which related to a site at Green Lane, which is set well apart from the defined settlement boundary. However, I saw that the site is located on higher ground than the highway, with rising ground to the rear. I consider that, as a result, local topography curtails views from the adjoining section Green Lane of the wider countryside. Consequently, the impact of development there on the character and appearance of the surroundings is unlikely to be as great as that associated with the appeal scheme.
13. Whilst the appellant has drawn attention to a number of previous appeal decisions in his Appeal Statement that make reference to housing land supply, I have found them to be of little assistance, not least as they pre-date the publication of the AMR and so the circumstances are not directly comparable to those in the case before me. Furthermore, I consider that the circumstances associated with the other appeal decisions referred to by the parties are not directly comparable to those in the case before me, which involves development in the countryside local to Wicklewood and I have considered it on its own merits.
14. The appellant has indicated it is his intention that the proposed dwellings would be self-builds for his son and daughter, which he suggests would enable them

to remain members of the local community. In the absence of any compelling evidence to support the assertion that they would otherwise be unable to do so, I give the benefit of the proposal in that respect limited weight.

15. I have had regard to paragraph 61 of the Framework, which indicates that when determining the number of homes needed, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including those people wishing to commission or build their own homes. The *Planning Practice Guidance* identifies that a relevant authority should use the evidence of demand for this form of housing from its register of those who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding. Local authorities have a duty under the *Self-build and Custom Housebuilding Act 2015* to have regard to the register when carrying out its planning, housing, land disposal and regeneration functions. However, I have not been provided with any evidence to show that there is an unmet registered demand for serviced plots in the area, which the scheme would contribute towards meeting.
16. In my judgement, neither these, nor any other matters raised, amount to overriding benefits in terms of economic, social and environmental dimensions. The benefits of the scheme would be significantly outweighed by the harm I have identified in relation to the main issue. It would not accord with LP Policy DM 1.3, which gives some support to development, in the Countryside outside of the defined boundaries of Settlements, which demonstrates overriding benefits. Nor would it be supported by LP Policy DM 1.1.
17. I conclude on balance that the proposal would conflict with the Development Plan taken as a whole and the circumstances in this case do not indicate that a decision other than in accordance with the Development Plan would be justified.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR