



Appeal Decision

Site visit made on 11 May 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2021

Appeal Ref: APP/K2610/W/20/3264372

The Platform, Broad Lane, Great/Little Plumstead, Norwich NR13 5BZ

- 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 Hinton against the decision of Broadland District Council.
 - The application Ref 20201241, dated 25 June 2020, was refused by notice dated 9 October 2020.
 - The development proposed is demolition of an outbuilding (workshop) and erection of a self-build bungalow.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of an outbuilding (workshop) and erection of a self-build bungalow at The Platform, Broad Lane, Great/Little Plumstead, Norwich NR13 5BZ. The permission is granted in accordance with the terms of the application Ref 20201241, dated 25 June 2020, subject to the conditions included in the Schedule at Annexe A.

Main Issue

2. The Council's decision notice includes two reasons for refusal. These are addressed together in the following single main issue: having regard to local and national policies, the suitability of the location for the proposed dwelling, including whether its occupants would have adequate access to services and facilities without undue reliance on private vehicle use.

Reasons

3. The appeal site includes a single storey workshop and used to be part of a larger site incorporating the adjacent dwelling, The Gatehouse. Broad Lane is bisected by a railway line directly next to The Gatehouse, with residential and other development which is part of Rackheath to the north of the road and west of the railway line. There is some residential development fronting Broad Lane to the south-east of the appeal site, but the surrounding area is predominantly open fields.
 4. Policy GC2 of the Broadland Development Management DPD (2015) (DM DPD) says that new development will be accommodated within the settlement limits defined on the proposals map. Development outside these limits would need to accord with a specific allocation and/or plan policy. The appeal site is outside the defined settlement limits of the Plumsteads and also that of Rackheath;
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and it does not accord with a specific policy outside these development boundaries.

5. Policy GC4 of the DM DPD concerns design and says that proposals should, amongst other matters, pay adequate regard to being accessible to all via sustainable means including public transport. Policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 (amended) (JCS) concerns climate change and protecting environmental assets, including that development should minimise the need to travel and give priority to low impact modes of travel. Policy 6 of the JCS concerns access and transportation and includes the objective of concentrating development close to essential services and facilities to encourage walking and cycling as the primary means of travel with public transport for wider access.
6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is a material consideration in planning decisions¹ and should be taken into account in dealing with applications². The Framework says that policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account³.
7. The appeal site is close to the Rackheath settlement boundary, some 60 metres distant. A convenience store, post office and pharmacy are located a short distance from the appeal site along Vera Road running off Broad Lane, immediately west of the railway line. A footpath runs from these facilities to the railway line's level crossing. Consequently, some of the main facilities necessary for day-to-day living are readily available within a relatively short walk or cycle ride. While there is no footpath immediately outside the appeal site, Broad Lane is a cul-de-sac with no through traffic. As such, the short distance to connect with the footpath would not involve a dangerous or onerous journey on foot. Given the proximity of the appeal site to Rackheath, access to some other services, facilities and public transport is unlikely to involve long journeys, which might entail walking and particularly cycling.
8. I note that the Plumsteads, which is identified as a service village, is further away. However, the addition of a small single dwelling with limited occupation would not significantly add to the journeys that already occur from the other nearby dwellings. Moreover, the site already includes a building that generates journeys to and from it. Therefore, for these reasons, I find that no material harm would result from the proposed dwelling in this location with regard to the purposes of Policy GC4 of the DM DPD or of Policies 1 and 6 of the JCS.
9. There is, however, a policy conflict due to the proposal's location outside defined settlement boundaries and I acknowledge the intention behind Policy GC2, to focus residential development in settlements which are well-linked and well-related to existing development and services. However, in the particular circumstances of this case no material harm would result from a single small dwelling, which is close to the Rackheath settlement boundary, is close to other

¹ Paragraph 2.

² Paragraph 212.

³ Paragraph 9.

dwellings and has good access by sustainable means to facilities necessary for day-to-day living. As such, it would not conflict with the underlying objectives of Policy GC2 and the Framework does not preclude residential development in the circumstances of this case.

10. The Council contends that as it can demonstrate a housing land supply of more than five years, in accordance with the requirements of the Framework and it is already delivering windfall sites⁴. However, no material harm would arise in this instance and the Framework does not preclude additional dwellings where the five year minimum supply is met or exceeded, particularly bearing in mind the national objective of significantly boosting the supply of homes.
11. Therefore, taking these findings as a whole, I conclude that the location would not be unsuitable for the proposed development. There is no conflict with Policy GC4 of the DM DPD or with Policies 1 and 6 of the JCS, and any such conflict with Policy GC2 of the DM DPD is outweighed by the considerations set out above for the reasons given.

Other Matters

12. I have had regard to the representation made by an interested party in support of the proposed dwelling, although this raises matters already addressed under the main issues.
13. The Framework says that plans and decisions should apply a presumption in favour of sustainable development⁵. However, given the above findings in the appellant's favour it is not necessary to consider this matter further.

Conclusion and Conditions

14. For the reasons given above it is concluded that the appeal should succeed.
15. I am not aware from the appeal submissions that the Council has suggested any conditions in the event that the appeal succeeds. Therefore, I have imposed the standard time condition and, to ensure the proper implementation of development in accordance with the submitted details, one requiring development to be carried out in accordance with the approved plans.
16. The Highway Authority has suggested three conditions concerning the site access and provision of turning and parking areas within the site. I agree that these conditions are necessary in the interests of highway safety.

J Bell-Williamson

INSPECTOR

⁴ Paragraph 73.

⁵ Paragraph 11.

Annexe A

Schedule – conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Location Plan, 002 Site Plan, 004 Floor Plan, 005 Elevations and 006 Proposed Site Plan.
- 3) Prior to the first occupation of the dwelling hereby permitted the existing vehicular access shall be upgraded/widened to a minimum width of 5 metres in accordance with the Norfolk County Council residential access construction specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway, the details of which are to be submitted to and agreed in writing by the local planning authority. The access shall be constructed in accordance with the approved details. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 4) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the local planning authority.
- 5) Prior to the first occupation of the dwelling hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plans and retained thereafter for that specific use.

[End of Schedule]