



Appeal Decision

Site Visit made on 15 June 2021

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2021

Appeal Ref: APP/Y2620/W/21/3268462

Chapel Farm, Norwich Road, Smallburgh, Norfolk NR12 9LU

- 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 George Watson against the decision of North Norfolk District Council.
 - The application Ref PF/19/1834, dated 21 October 2019, was refused by notice dated 25 January 2021.
 - The development proposed is described as the “demolition of redundant agricultural buildings and building of 4 No new two storey dwellings”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the Council made its decision it replaced the North Norfolk Landscape Character Assessment Supplementary Planning Document 2018 with the North Norfolk Landscape Character Assessment Supplementary Planning Document 2021 (the LCA).

Main Issues

3. The main issues in this appeal are:
 - whether the site is an appropriate location for the development having regard to the development plan,
 - the effect of the development on the character and appearance of the area, and,
 - the effect of the development on designated European protected sites.

Reasons

Location

4. Policy SS 1 of the North Norfolk District Council Core Strategy 2008 (the Core Strategy) sets out the spatial strategy for the District and identifies areas that would be suitable for future development. As the appeal site lies beyond any of the settlements and villages identified within Policy SS 1, it is defined as being within the countryside. In such locations, Policy SS 2 of the Core strategy allows certain developments which require a rural location. The proposal does not fall within any of the listed development types.
5. The supporting text to Policy SS 2 also states that to prevent dispersed dwellings that would lead to a dependency on travel by car to reach basic services, new market housing within the countryside will be restricted. In this

instance, although the appeal site lies close to a bus stop serving Cromer and Great Yarmouth, from the evidence that has been provided, the services do not run in the evening and not at all on Sundays. A footpath also links a local convenience store and a petrol station which is within walking or cycling distance from the appeal site. However, the footpath is not illuminated and would not be an attractive alternative to the private car during bad weather, the winter months or to those with low mobility. Moreover, at the time of my visit I noted that Norwich Road was quite busy and the subject of a 50mph speed limit, which would be an unattractive route for cyclists to use on a regular basis.

6. Furthermore, other facilities such as employment, medical services, education and larger stores are further afield. Consequently, it is a realistic possibility that future occupiers of the dwellings would be heavily reliant on the private car to access services required for day to day living.
7. Thus, the occupiers of the proposed development would be likely to rely on the use of the private car to access to almost all of the day-to-day services and facilities they would require. Consequently, the proposed development would not provide a suitable location for housing, having regard to the spatial strategy for the area and the accessibility of services and facilities. It therefore conflicts with Policies SS 1 and SS 2 of the Core Strategy and paragraphs 78 and 102 of the National Planning Policy Framework which seek, amongst other things, to promote sustainable development within rural areas.

Character and Appearance

8. The area has a distinctly open and pleasant verdant quality that is reinforced by the presence of mature landscaping within this countryside setting. Although the site is close to existing dwellings, it nonetheless relates better to its rural surroundings, to which it makes a positive contribution. The site also lies within the Low Plains Farmland (LPF) as identified within the LCA which states that one of its key characteristics is a rural landscape in which arable land use predominates. Furthermore, the LCA recognises that demand for new homes can affect the area's sense of remoteness and rural character.
9. The appeal site currently contains a number of former agricultural buildings that are in a state of disrepair and which lie behind the linear pattern of development that exists along Norwich Road. The proposal seeks to demolish the existing buildings on the site and erect four detached dwellings, each of which would be provided with private parking and garden areas.
10. The proposed dwellings would fundamentally alter the appearance of the site through its suburbanisation, thereby eroding the rural qualities and openness of the area. Moreover, it is also necessary to consider the visual impacts of the residential use such as the vehicle movements and parking associated with the development. In addition, fencing, external lighting, domestic cultivation and items such as garden furniture and washing lines for the new dwellings would add to the suburbanising effect. I am not persuaded that the proposal would lead to an enhancement of the area and nor would the presence of other dwellings in the vicinity of the appeal site lessen the harm that I have identified, which would be visible from the footpath to the east and from surrounding residential properties.

11. Thus, the development would result in harm to the character and appearance of the area. It would be in conflict with Policy EN 2 of the Core Strategy which seeks, amongst other things, to ensure that developments respect and enhance the special character and local distinctiveness of an area.

European Protected Sites

12. The site lies within 1km of the Broads Special Area of Conservation (SAC) and the Broadland Special Protection Area (SPA), which are designated European Protected Sites. The Council identifies that there are significant concerns with regard to the potential for an adverse effect on the integrity of the SACs and SPAs from use associated with the new dwellings, in combination with other developments. However, given my findings on the main issues above, I have not considered this matter further, including whether an appropriate assessment is required.

Other Matters

13. I acknowledge that, despite the spatial limitations of the appeal site, the design of the proposed dwellings is acceptable and suitable materials could be employed. I also recognise that there were no technical or neighbour objections to the development. The appellant also refers to Class Q of the Town and Country Planning (General Permitted Development)(England) Order 2015 and that the farmhouse is no longer the subject of an agricultural tie. However, neither this nor any other material consideration that has been advanced outweighs the harm that I have already identified.

Conclusion

14. Thus, for the reasons as set out above, I conclude that there are no material considerations of such weight as to indicate that a decision be taken other than in accordance with the development plan. Therefore, the appeal is dismissed.

Graham Wyatt

INSPECTOR