



Appeal Decision

Site Visit made on 14th September 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal Ref: APP/L2630/W/21/3269003

Dogtales Daycare, Attleborough Road, Hingham NR9 4NQ

- 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 Ms Dunnett against the decision of South Norfolk Council.
 - The application Ref 2020/2001, dated 10 October 2020, was refused by notice dated 29 January 2021.
 - The development proposed is change of use of the existing building used as a dog-care business to holiday accommodation
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Both parties were invited to provide representations in relation to the revised Framework. I have therefore had regard to the revised Framework in considering this appeal.
3. I have taken the description of development from the decision notice, as this more accurately reflects the proposed development. The appellant has agreed to the use of this description.

Main Issue

4. The main issue is whether the appeal site is a suitable location for the proposed development, with particular regard to the Council's strategy for the location of new development and the accessibility of the site to services and facilities.

Reasons

5. The appeal site comprises an existing building in use as a dog-care business, which is located in the countryside, approximately 0.5 miles to the south of the settlement of Hingham. Within the wider surrounding area there are various tourist facilities including a Campsite and Fishery, which the appellant asserts are accessible via a private footpath.
6. The proposed development is for the change of use of the existing building to holiday accommodation. The appellant asserts that the wider site includes a wedding venue with which the use of the proposed tourist accommodation could be linked. However, very little information has been provided with regard to the wedding venue and its operation, or how well related it is to the site of the proposed holiday accommodation.

7. Local Plan¹ Policy DM1.3 sets out the Council's approach to the 'sustainable location of new development'. This policy states that, in areas outside of the defined development boundaries, permission for development will only be granted where specific development management policies allow or where there are overriding social, environmental, and economic benefits.
8. In considering other specific development management policies, Local Plan Policy DM2.12, which relates to tourist accommodation, is relevant. Part 1 of Policy DM2.12 seeks to ensure that new tourist accommodation is located within the development boundaries or on a site well-related to a settlement with development boundaries.
9. The appeal site is not within the development boundary of Hingham, nor is it well-related to the settlement. The site is physically separated from Hingham by an area of countryside and there is no safe and convenient pedestrian access to the settlement. If walking along Attleborough Road, Visitors would be required to negotiate a section of highway which does not comprise a footway. Where there are footways, further along Attleborough Road, these are not well lit and are narrow and uneven for the majority of the route. As such, this route would not be attractive to future visitors to the proposed holiday accommodation and there would be a resultant over-reliance on the private motor vehicle to access services and facilities in the surrounding area.
10. The appellant has suggested that there is an alternative means of access, via an unmade (grass) path within the wider 'Gallops' site. The precise route is not clear from the evidence available. In any case, such a route is unlikely to be well lit, safe, or convenient, particularly for elderly or disabled visitors. The appellant has suggested that the path has been used previously in respect of various events, including by those with mobility impairments. However, the fact that access may be possible via this route does not make it suitable and attractive as a safe and convenient means of access to Hingham. The appellant has also suggested that the route would be lit. However, no detailed information pertaining to any such lighting has been provided and such proposals would need to be consulted on given the countryside location. For the same reasons, an alternative means of pedestrian access, through adjacent woodland, would not be acceptable. As such, visitors would be reliant on the motor vehicle to access services, facilities, and public transport, within Hingham and further afield.
11. Part 2 of Policy DM2.12 states that proposals for tourist accommodation outside of the settlement boundaries will be permitted where they comply with either Local Plan Policy DM2.9 or Local Plan Policy DM 2.10. Policy DM2.9 relates to new or expanded recreational or leisure destination attractions. The appellant has suggested that the wider 'Gallops' site incorporates a wedding venue and that the proposed holiday accommodation could be linked with this wider use. However, very few details have been provided of the wedding venue. Policy DM2.9 states that the expansion of existing attractions will only be supported where the location has unique or special attributes or where it can be demonstrated that this is necessary for continued viability of the existing use. The site does not comprise any unique and special attributes which would provide a clear justification for the development. Furthermore, no evidence has been provided to demonstrate that the development is necessary to ensure the

¹ South Norfolk Local Plan Development Management Policies Document, October 2015

viability of the wedding venue. In this regard, the proposed development is not supported by Policy DM2.9.

12. Policy DM2.10 relates to the re-use of existing buildings in the countryside. However, the Council has pointed out that the existing building was granted permission subject to a planning condition requiring the removal of the building upon the cessation of the existing use. No evidence has been provided to the contrary. Criterion 'b)' of Policy DM2.10 requires that the building is 'standing and of adequate dimensions to accommodate the proposed use'. Given that the building would need to be removed upon cessation of the existing use, the proposed development would fail to meet this requirement. As such, the proposed development is not supported by Policy DM2.10.
13. In considering whether the 'overriding benefits' test within Local Plan Policy DM1.3, there would be some economic benefits associated with the support for local services, facilities, and tourist attractions, as well as the existing wedding business. However, given the small scale of the development these benefits would be limited, and they can only therefore be afforded moderate weight. The 'wild' nature of the location might make the accommodation more attractive to certain visitors, but it would not constitute any significant benefit beyond the more general economic benefits which I have already identified in relation to the provision of tourist accommodation. These benefits, combined, would not outweigh the harm caused by the development with regard to the poor access to services and facilities and overreliance on the private motor vehicle. As such, there are no overriding benefits in this case.
14. For these reasons, the proposed development would conflict with Local Plan Policies DM1.3 and DM2.12, which set out the Council's strategic approach to the location of new development and seek to ensure that tourist accommodation is located within, or well-related to, existing settlements, respectively. There would also be a conflict with Core Strategy² Policy 6, which seeks in part to ensure that new development is concentrated close to essential services and facilities, with walking and cycling encouraged as primary means of travel.
15. The proposed development would also conflict with the provisions of Framework Section 9, which seek in part to ensure that development encourages sustainable modes of transport.

Conclusion

16. The proposed development would conflict with the development plan taken as a whole. There are no other considerations which indicate that a decision should be made other than in accordance with the development plan. As such, I conclude that the appeal should be dismissed.

Luke Simpson

INSPECTOR

² Joint Core Strategy for Broadland, Norwich, and South Norfolk (March 2011)