



Appeal Decision

Site visit made on 2 November 2021

by Jonathan Price BA(Hons) DipTP MRTPI DMS

an Inspector appointed by the Secretary of State

Decision date: 08 November 2021

Appeal Ref: APP/Y2620/W/21/3270004

30 Reepham Road, Briston, Norfolk NR24 2JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Adam Kidd & Miss Katherine Richards against the decision of North Norfolk District Council.
 - The application Ref PO/20/0718, dated 28 April 2020, was refused by notice dated 10 November 2020.
 - The development proposed is demolition of existing outbuildings (3 no). Construction of replacement garage serving No 30 Reepham Road, Briston. Construction of detached dwelling and associated external works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all detailed matters reserved for later consideration. I have dealt with the appeal on this basis, treating the layout plan 253/02 rev C as indicative.

Main Issue

3. Whether the dwelling proposed would be appropriate in this location, with particular regard to accessibility to regularly required services.

Reasons

4. The dwelling proposed would replace outbuildings to the rear of the host bungalow at no 30. The layout indicated would mirror that of the adjacent dwelling at no 32A, built to the rear of the next-door bungalow at no 32. There is a further dwelling (no 32B) to the rear of no 32A and the appeal site. This housing is located within a stretch of mainly frontage housing that runs through the countryside beyond the more consolidated built-up parts of the village further to the north.
5. The settlement boundary for Briston in the development plan is drawn around these main built-up parts, reflecting its rather elongated and irregular built form. The stretch of frontage housing hosting the appeal site lies beyond the southern limit of the settlement boundary, which runs across the Reepham Road some 65m from this proposal.

6. Policy SS1 of the Council's Core Strategy¹ (CS) focusses the majority of new development into North Norfolk's towns and larger settlements, including a small amount in designated Service Villages, such as Briston/Melton Constable. Lying beyond the settlement boundary, the appeal site is designated as countryside, where Policy SS1 restricts development to that supporting the rural economy, meeting affordable housing needs and providing renewable energy. CS Policy SS 2 limits development in the countryside to that which requires a rural location or falls within specified categories, which for housing includes that which is affordable in accordance with the Council's rural exception site policy.
7. This proposal is not within any of these categories and therefore conflicts with CS policies SS1 and SS2, insofar as these establish a spatial strategy that restricts housing in the countryside. Such a strategy accords broadly with the central thrust of the National Planning Policy Framework (the Framework) for achieving sustainable development. This includes through actively managing patterns of growth in support of promoting sustainable transport. The Framework states that this is achieved by focusing significant development on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes and thereby helping to reduce congestion and emissions, and to improve air quality and public health. The spatial strategy applied through the CS accords with this approach. Whilst this scheme does not itself amount to a significant development, relaxing the locational restraints on smaller-scale proposals would undermine the efficacy of a spatial strategy aimed at limiting housing in the countryside.
8. The Framework requires that account be taken of opportunities to maximise sustainable transport solutions varying between urban and rural areas. However, to do otherwise might preclude proposals that require a countryside location and I do not take this to be general encouragement for housing where such opportunities are limited.
9. The proposal is within an area of existing housing, neither far from the settlement boundary nor comprising an isolated home in the countryside, that Framework paragraph 80 seeks to be avoided, other than in specific circumstances. Notwithstanding these considerations, the proposal would add a further dwelling at the southern extreme of development in Briston. This is a location quite far away from where most of the shops and other services are located. There is no evidence of ready access to these and other centres by a frequent bus service. Reaching the nearest regular required services would involve lengthy walks either along unlit roads without footways, or via less direct public rights of way, neither of which would be conducive to use outside daylight hours. Although access to services by cycle would be more convenient, this is a location where future occupiers would generally be highly dependent upon frequent and regular private car journeys to reach these.
10. The appellants' personal circumstances are such that by living here the lengths and amounts of private car journeys to meet family requirements would reduce, which is of some weight in this case. However, my decision is based primarily on land use rather than personal considerations, and these do not alter my general conclusions over private car dependency in this location.

¹ North Norfolk Local Development Framework Core Strategy incorporating Development Control Policies – September 2008

11. I have had regard to the Planning Practice Guidance (PPG), which notes that a wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness². Whilst Policy SS2 might be deemed such a blanket policy, it serves to restrict market housing spreading into the countryside, where car dependency is relatively greater.
12. In the appeal decision³ submitted in evidence, my colleague concluded the Framework to be more receptive to sustainable development in the countryside than CS Policy SS2. That might be so. However, the strategy that CS policies SS1 and SS1 apply still sits squarely with the Framework's central aim of achieving sustainable development, including by aligning patterns of growth with sustainable transport options. I therefore give the harm arising from the conflict with these policies significant weight. Based on this, my finding on the main issue is the dwelling proposed would be inappropriate in this location, due to poor accessibility to regularly required services other than by means of frequent journeys by private car.

Planning balance and conclusion

13. There would be benefits arising from this proposal. However, for a single dwelling, those by way of helping to meet the Framework's aim of generally boosting housing supply would be very small. The proposal is for a self-build home, over which the appellants refer to the Council's failure to date to make adequate provision, as required under the Self Build and Custom Housebuilding Act 2015. The provision of a self-build dwelling is a further small benefit of this scheme. The construction works and future household expenditure would benefit the local economy, but to a limited degree.
14. The harm relates to only a single dwelling being in conflict in principle with development plan policy as this relates to service accessibility. Nevertheless, in the context of a statutory plan-led system, which the Framework recognises, a clear conflict with development plan policy means such harm remains a weighty matter.
15. The appellants refer me to a recent approval⁴ by the Council for the conversion of an agricultural building into two holiday lets, some 368m further from the development boundary than this proposal. Full background details behind this decision are not provided. However, as it relates both to a holiday use and the conversion of an agricultural building, the circumstances appear materially different. Whilst I have taken this recent decision into account, it does not alter my overall findings in this particular case.
16. The Council's most recent evidence⁵ demonstrates a 5.16-year housing land supply. The appellants challenge this on the basis of a failure to meet the Framework paragraph 74 requirements, by not fully adhering to the standard method set out in the PPG. This is over the lack of exceptional circumstances for the Council basing its housing need assessment on the 2016 Household

² Paragraph: 009 Reference ID: 67-009-20190722 Revision date: 22 07 2019

³ Appeal Ref: APP/Y2620/W/16/3152281 Erection of two dwellings at 28 Pineheath Road, High Kelling, Holt, Norfolk NR25 6QF, allowed 9 November 2016.

⁴ Application reference PF/21/0714 Conversion of agricultural building to two units of holiday accommodation; associated external alterations at Boundary Farm, Reepham Road, Briston, Melton Constable, Norfolk, NR24 2JN approved on 25 July 2021

⁵ Five-year Supply of Housing Land 2020-2025. North Norfolk District Council April 2020

Projections, rather than the higher 2014 figures which better support the Government's ambitions for boosting supply. Using the standard method, the appellant calculates a 4.33-year housing land supply in North Norfolk. This would engage the presumption in favour of sustainable development in Framework paragraph 11 d). Given that the application of Framework policies that protect areas or assets of particular importance would not provide a clear reason for dismissing the appeal, the so-called 'tilted balance' would then apply.

17. However, even were there to be the shortfall in achieving a five-year housing land supply of the order calculated by the appellants, the adverse impacts of allowing the appeal would still significantly and demonstrably outweigh the rather modest and mainly personal benefits provided.
18. The proposal would therefore not benefit from the presumption in favour of sustainable development provided by the Framework. As a material consideration, this would thus not indicate the appeal be decided other than in accordance with the development plan, with which I find conflict as a whole. For the reasons set out above, I therefore conclude that the appeal be dismissed.

Jonathan Price

Inspector