



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: 15th November 2021

Appeal Ref: APP/F2605/W/21/3270857

Reymerston Road, Garvestone, Norfolk NR9 4QX

- 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 Mayes and Co against the decision of Breckland Council.
 - The application Ref 3PL/2020/1425/O, dated 10 December 2020, was refused by notice dated 26 February 2021.
 - The development proposed is development of five, three and four bedroomed detached dwellings, including self-build, with garages.
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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, taking into account the site layout submitted as indicative of how the site might be developed. This shows five plots, providing for three bungalows (each with three bedrooms) and two houses (both four bedroomed). One of the plots is to be available for self-build.

Main Issue

3. Whether the proposal would be appropriate with regard to the settlement hierarchy and distribution of growth set out in the development plan.

Reasons

4. Garvestone is a rural parish and comprises countryside containing a rather dispersed settlement pattern. The proposal relates to the part of the village centred on the junction of Reymerston Road with the B1135. The development would lie just beyond a bridleway marking the current limit to development along that side of the street, mirroring the extent of housing opposite.
5. The current Breckland Local Plan of 2019 (LP) applies the principles of sustainable development (Policy GEN 01), directing development growth to within settlement boundaries in amounts reflective of a settlement hierarchy (Policy GEN 03) and restricting this beyond these so as to recognise the intrinsic character and beauty of the countryside (Policy GEN 05).
6. LP Policy HOU 02 sets minimum targets for housing growth within the various categories of Breckland settlement. Under LP Policy HOU 05 development in smaller villages and hamlets outside of defined settlement boundaries is to be limited to sensitive infilling and rounding off of clusters of dwellings with access

to an existing highway. The proposal does not relate to a vacant plot in an otherwise built-up street frontage and so is clearly not infilling. My considerations thus centre upon whether it should be considered as rounding off.

7. The supporting text to LP Policy HOU 05 provides some definition of rounding off. The bridleway marks a clearly defined end to the extent of development on this side of the road. The appeal site lies beyond this obvious boundary and comprises a corner of a larger arable field that extends further at the rear and along Reymerston Road. Further south along the road there is a clearly defined edge to this arable field, and the quite distinct start of some sporadic housing. The development would be within part of a distinct parcel of arable land and so would not qualify as the completion of an incomplete group of buildings on land which is already partially developed, such as to meet this part of the definition.
8. The housing would match the extent of that opposite. However, the development would not complete the local road pattern on its own side and simply extend ribbon development further into the countryside. The vegetated boundaries to the road and bridleway comprise two sides of the site, which also clearly define the current extent of the settlement. The far sides of the site are indistinguishable from the remainder of the large arable field, so any strength and durability these provide as boundary features depend entirely on the proposal.
9. The five dwellings would be a rather stark outward expansion of the settlement into the open countryside. The appellant has provided examples of developments approved elsewhere by the Council¹. None appear comparable to this as housing encroaching into the more open landscape. I have taken these other decisions into account, but they do not alter my view that, despite the housing extending only as far as that opposite, this proposal would not comprise rounding off to this side of Reymerston Road.
10. To comply with LP Policy HOU 05, all of the criteria it sets require to be satisfied. The Council's decision was not that the scheme would be inappropriate in scale and design to the settlement or be of harm to the character and appearance of the area, either in respect of undermining a visually important gap or for any other reason. Nevertheless, by not being the infilling and rounding off of a cluster of dwellings, the proposal would not meet the requirements for the limited development permitted in such smaller villages and hamlets. Therefore, the proposal would not be appropriate with regard to the settlement hierarchy and distribution of growth set out in the development plan, in conflict with LP policies GEN01, GEN03, GEN05, HOU2 and HOU5.
11. The local highway authority notes the site to be in a village with limited facilities and public transport provision and considers that the dwellings' residents would be primarily dependant on travelling by private car, to higher order settlements, to access services and amenities on a daily basis. Having considered the evidence provided of existing services, I have no reason to take a contrary view to this. Therefore, the spatial strategy for the delivery of housing growth provided in the LP, with the limited amount provided for in the lower tier settlements such as Garvestone, remains consistent with the central aim of the National Planning Policy Framework (the Framework) to secure

¹ 3PL/2020/0540/F Land off Church Road, South Lopham, 3PL/2019/0995/O Land adjacent 4 Beachamwell Road, Drymere, Beachamwell 3PL/2019/1363/F – Land North of Mere House, Mere Road, Stow Bedon

sustainable development. This includes 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, thus helping to reduce congestion and emissions and improve air quality and public health. Therefore, I attach significant weight to the conflict found with LP policies GEN01, GEN03, GEN05, HOU2 and HOU5 and find a commensurate degree of harm.

Planning balance and conclusion

12. Set against the harm found, the proposal brings forward a number of benefits in respect of the social, economic and environmental threads to sustainable development. The scheme would provide small but appreciable social benefits towards boosting the overall supply of housing that the Framework seeks. One of the plots would be available as self-build, providing a specific small benefit in helping to meet the Framework's objective to make adequate provision for people wishing to commission or build their own homes. Furthermore, three of the five dwellings would be bungalows, and so the housing mix is generally beneficial to meeting the needs of an ageing population. There would also be small but appreciable economic benefits from the construction and future servicing of five dwellings and by additional household expenditure supporting services in the locality.
13. The biodiversity enhancements, provided by measures such as bat and bird boxes and suitable planting, would achieve a net gain, given the existing arable farmland is of low ecological interest. However, the 25% biodiversity net gain commitment remains limited to what the five residential plots might deliver. The scheme offers nothing beyond these that might have a realistic impact on addressing biodiversity loss and climate change. Nevertheless, these modest environmental benefits are afforded the appropriate degree of weight.
14. The proposal is to provide an all-weather surface for the public right of way north of the site that would connect to the B1135 footway running onwards to the village hall, play area and school. This is a further quite modest public benefit of the scheme.
15. The appellant cites the further income from the New Homes Bonus (NHB) and increased Council tax receipts as benefits. The Planning Practice Guidance² is that whether or not a 'local finance consideration' is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority, such as through the NHB, so this is not something to which I attach positive weight. Regarding increased Council tax receipts, the development would result in a corresponding increase in demand on local services and infrastructure, so provides no net benefit to attach weight to.
16. When the appeal was made, the Council claimed a 6.07-year housing land supply, as of November 2020. The appellant has challenged this on the basis of a lack of clear evidence over deliverability of any more than a 4.58-year supply. The Council's position has since reduced to an estimated 5.59-year

² Paragraph: 011 Reference ID: 21b-011-20140612. Revision date: 12 06 2014

housing land supply, as of March 2021. The appellant has subsequently cited the Council's failure to implement the immediate partial review of Breckland's housing need, required by the Examining Inspector in recommending adoption of the 2019 LP, as potentially indicative of a greater shortfall in supply.

17. Any detailed findings over these matters fall outside the scope of an appeal decided by means of written representations. Were it to be found that housing land supply in Breckland fell below a five-year amount to the degree argued by the appellant, this would increase proportionally the weight attributed to the benefits of the five dwellings and also engage the Framework's presumption in favour of sustainable development. However, even on this notional basis, the adverse impacts found would significantly and demonstrably outweigh the benefits identified. Therefore, for the reasons given, I conclude that the appeal be dismissed.

Jonathan Price

Inspector