



Appeal Decision

Site visit made on 4 January 2022

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 FEBRUARY 2022

Appeal Ref: APP/U2615/W/21/3273903

Land south of Short Road, Browston, Great Yarmouth NR31 9DS

- 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 R Edwards against the decision of the Great Yarmouth Borough Council.
 - The application Ref 06/21/0137/O dated 11/02/2021, was refused by notice dated 16/04/2021.
 - The development proposed is described as the demolition of a stable and the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all matters reserved for future consideration, with the exception of access. I have considered the appeal on this basis.
3. The Council has drawn my attention to changes in local planning policy since the submission of the appeal I understand that the Great Yarmouth Local Plan Part 2 (2021) (the Local Plan) has been adopted. The appellant was given the opportunity to comment on this change. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

4. The main issue in this appeal is whether the development would be in a location suitable for a new dwelling.

Reasons

5. The appeal site is located within the village of Browston which does not have defined settlement boundaries. The site is located south of Short Road, comprising stables and grazing land for personal use. Whilst the appeal site lies within a grouping of residential properties, for the purposes of development plan policy, it is within the countryside.
6. Policy GSP1 of the Local Plan allows for development outside of defined settlement boundaries subject to criteria such as comprising agriculture or forestry development or the provision of utilities and highway infrastructure.

The proposed development does not meet the criteria outlined within Policy GSP1.

7. Policy CS2 of the Great Yarmouth Local Plan, Core Strategy 2013-2030 (the Core Strategy) sets out a settlement hierarchy for development. The policy confirms that in the countryside development will be limited to conversions/replacement dwellings/buildings and schemes that help to meet rural needs. The proposed development would replace a large stable building on the site with a dwelling however a new stable block is also proposed within the site.
8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard to the development plan is to be had then determination of an appeal must be made in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the Framework also makes it clear; the development plan is the 'starting point for decision making', not its end.
9. The Council has drawn my attention to a dismissed appeal for residential development at the site¹. Whilst there are no substantive details before me which allows comparison of that scheme with that now proposed I am mindful that access to local amenities would be similar. Nevertheless, each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
10. The Council contends that the proposed development would be outside of any settlement boundary and there would be a reliance on private motor vehicles to access services.
11. The appeal site is adjacent residential properties fronting a narrow rural lane. Browston is classified in the Core Strategy as a tertiary village, which is defined as a settlement containing few services and facilities with limited access to public transport and very few employment opportunities.
12. In relation to accessing services and facilities, there are no footpaths or streetlights adjacent the site and accessing local services on foot would be unrealistic for some potential users of the development and at some times of the day and year.
13. There is a bus service a short walk away which I understand provides access to settlements which would meet the day to day needs of the future occupants. Notwithstanding this I have not been provided with substantive evidence confirming the regularity of services.
14. I have taking into account that opportunities to maximise sustainable transport options will vary between urban and rural locations. However, the circumstances I observed do not lend themselves to safe use by pedestrians. Similarly, the lack of street lighting would be unlikely to encourage cycling to the nearest services and facilities after dark via this narrow lane.
15. The appellant has drawn my attention to an appeal decision within Browston², which whilst dismissed considered the sustainability of the location. Substantive details have not been provided relating to the scheme, nonetheless

¹ APP/U2615/W/17/3168949

² APP/U2615/W/20/3262245

I note that proposal involved an existing business use at the site. I therefore do not consider this to be directly comparable to the proposal before me.

16. Whilst I understand that the stables at the appeal site are for personal use and current journeys to and from the site will be frequent, I am not persuaded that journeys would be reduced should the appeal be allowed given the need to travel for services, facilities and employment opportunities.
17. The appellant has provided other appeal decisions; however, again no details have been provided to allow a comparison to the appeal proposal before me. Notwithstanding this these decisions relate to sites outside the administrative boundary of the Council and therefore are not directly comparable to the appeal proposal. Nonetheless proposals must be considered on its individual merits.
18. I give limited weight to the appellants argument that the proposed development will support the rural community, local services, facilities and the economy; whilst one dwelling would contribute, I have not been provided with any substantive evidence to persuade me that this would be any more than a limited contribution.
19. On this basis I find that there would be a reliance on private motor vehicles and conclude that the proposed development would not be a suitable location for a new dwelling. The proposed development conflicts with Policy GSP1 of the Local Plan and Policies CS1 and CS2 of the Core Strategy which seeks to ensure developments are located within areas which are suitable locations, reducing the need to travel.

Other Matters

20. The appellant doubts that the Council can demonstrate a five year housing land supply however substantive evidence has not been provided to support this. The appellant advances that a five year housing land supply is not a ceiling or cap which prevents development, I agree. However, this does not persuade me that the appeal site is a suitable site for a new dwelling.

Conclusion

21. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR