



Appeal Decision

Site visit made on 21 March 2023

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/L2630/W/22/3301350

Glenview, The Common, Shotesham NR15 1YD

- 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 J Carver against the decision of South Norfolk Council.
 - The application Ref 2021/2546, dated 19 November 2021, was refused by notice dated 17 January 2022.
 - The development is described as “change of use for outbuilding to office (Class E)”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The evidence before me suggests that the outbuilding was previously used as an office. However, at the time of my site visit, it appeared that the building was not being used for such a purpose. The planning application form states that the use is proposed and therefore I have treated the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development on highway safety and whether the site is in a suitable location for employment development.

Reasons

Highway Safety

4. The Common/Shotesham Road is a classified C-road that links main and secondary distributor networks and, as I observed during my site visit, is used by a high volume of traffic including HGVs. This is not disputed by the appellant. The section of road adjacent to the appeal site inclines from south to north and narrows and bends as it approaches the brow of the hill. The reduced width of the road together with a lack of passing places is such that at certain points it is not possible for two vehicles to pass one another. The speed limit is 60mph as vehicles descend from the brow of the hill, changing to 30mph just before the appeal site. Beyond the appeal site to the north, the road is bound on either side by a narrow, banked grass verge planted with tall hedgerows which enclose the road and restrict the view of the host dwelling’s existing access.
5. The proposal would involve the change of use of a domestic outbuilding associated with the dwelling known as Glenview to an independent office use

falling within Use Class E¹ and would utilise the host dwelling's existing access onto The Common. Immediately to the north of the existing access is a brick pillar and a banked section of garden that is bound by a tall hedgerow that significantly restricts visibility from the access. Visibility to the south of the access is impeded due to an existing boundary hedge. Consequently, the existing access is substandard, and no improvements are proposed.

6. The existing access would be utilised by both the occupiers of the host dwelling and the employees/visitors of the proposed employment use. The information before me suggests that the office building would be occupied by five full-time employees, four of whom would be reliant on the private car to access the appeal site. Therefore, the proposed development would result in an intensification in the use of the existing access when compared to the vehicle movements of the host dwelling. The characteristics of the road adjacent to the appeal site together with the substandard visibility splays and the intensification of the access would result in an unacceptable impact on highway safety.
7. I accept that the appeal site would have sufficient space to accommodate the necessary parking and turning areas and would allow vehicles to exit the site in a forward gear. However, this would not overcome the access' substandard visibility splays. The appellant asserts that the vehicle movements associated with the existing dwelling and proposed employment use would be minimal, however this has not been substantiated with evidence.
8. I acknowledge that there have been no previously recorded personal injury accidents in the immediate vicinity of the appeal site in recent years and that the building has previously operated as an office with the associated comings and goings of employees. However, the absence of accidents does not indicate that an access is safe in highway safety terms, or that an accident could not occur in the future. Furthermore, paragraph 111 of the National Planning Policy Framework ('the Framework') does not require the residual cumulative impacts on the road network to be severe for a development to be prevented or refused on highways grounds, it can also be prevented or refused if there would be an unacceptable impact on highway safety.
9. In reference to the first main issue, the proposed development would have a detrimental effect on highway safety. It would therefore conflict with Policy DM3.11 of the South Norfolk Local Plan Development Management Policies Document, adopted 2015 (LP) which, amongst other things, prevents development that would endanger highway safety or the satisfactory functioning of the highway network.

Suitable Location

10. The appeal site is located in the countryside. Policy DM1.3 of the LP states that development in the countryside will only be granted where it complies with specific development management policies, or it demonstrates overriding benefits in terms of economic, social and environmental dimensions.
11. Proposals for new employment and business development in the countryside are restricted by Policy DM2.1 (7) of the LP. The gross floor area of the building is less than 200 square metres, therefore there is no requirement to

¹ The Town and Country Planning (Use Classes) Order 1987, as amended

demonstrate that there are no sequentially preferable sites available for the proposed development. However, the evidence before me suggests that the proposal would not re-use a redundant rural building as it would utilise a domestic outbuilding associated with the host dwelling. Furthermore, the appeal site is located a substantial distance from the nearest part of the development boundary of Shotesham and therefore it is not well related to the village.

12. Shotesham has a very limited range of facilities, comprising a public house and a church. The route between the appeal site and the village is unappealing for walking and cycling because it comprises a narrow, winding road that has no pavement and is unlit. This would therefore likely discourage walking between the appeal site and the village, especially in the dark and during inclement weather. Bus stops are located within Shotesham however, I have not been provided with information as to the regularity of the service or its route. Therefore, it is unclear whether public transport could be relied upon by employees or visitors of the proposed office. I acknowledge that one of the employees would reside at the host dwelling. However, the remainder of the employees would travel to the site from elsewhere and detailed information has not been provided of these journeys. As such, future occupiers/employees and visitors are likely to be reliant on the private motor vehicle. Therefore, the proposal would not create accessible jobs or business opportunities in the rural area.
13. The proposal would provide a limited amount of employment due to the size of the existing building and the proposal. It would also allow the previous business to operate from the building once more. However, I have limited information before me regarding the economic benefits to the district and surrounding area from the business operating from the appeal site rather than another location, or why operating from a different location would directly impact the business' operation and its employees, particularly as it appeared at the time of my site visit, that the business was not operating from the appeal site.
14. Accordingly, the economic, social and environmental dimensions from the proposed development are limited and would not amount to overriding benefits.
15. I acknowledge that paragraph 84 of the Framework seeks to enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings, and that the business is a family run company with a long-standing history with Shotesham and South Norfolk. However, paragraph 85 of the NPPF requires sites that meet local business needs in rural areas adjacent to or beyond existing settlements and in locations not well served by public transport to be sensitive to their surroundings, not have an unacceptable impact on local roads and exploit any opportunities to make the location more sustainable. I have no details before me as to how the appellant would exploit opportunities to make the location more sustainable, and I have found that the proposal would have an unacceptable effect on local roads.
16. In reference to the second main issue, the appeal site would not be a suitable location for employment development. It would be contrary to Policies DM1.3, DM2.1 and DM3.10 of the LP, and Policy 1 of the Joint Core Strategy for

Broadland, Norwich and South Norfolk, adopted 2014 which, amongst other things, seek to minimise the need to travel, give priority to low impact modes of travel, and create accessible jobs and business opportunities in rural areas.

17. The appellant has directed me to Part 6 of LP Policy DM2.1. However, this refers to the expansion of existing businesses located in the countryside and therefore is not applicable to the appeal proposal.

Other Matters

18. The appeal site is located within the Shotesham Conservation Area (CA) and therefore, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The proposed change of use would utilise an existing building within the CA and does not propose any external changes, therefore the character and appearance of the CA would not be altered by the proposal. Therefore, I do not find harm to the CA from the proposed development.
19. Concern has been raised that the relocation of the business would result in unnecessary delay to business practices, potential lost revenue, put existing jobs at risk, and could require the business to relocate outside the district. However, the business has already relocated from the appeal site. The proposed business could potentially operate from the building with no disruption to neighbouring properties. However, this is a neutral matter.
20. The appellant asserts that the business would only operate from the site while the host dwelling remains in the ownership of the family. However, the proposal would result in an unrestricted Class E Use. Even if a condition could be applied to prevent the separation of the Class E Use from the host dwelling, this would not overcome the harm I have found in respect of the appeal site being an unsuitable location for employment development and its effect on highway safety.

Conclusion

21. For the reasons set out above, having considered the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

A Berry

INSPECTOR