



Appeal Decision

Site visit made on 9 December 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 16th December 2024

Appeal Ref: APP/F2605/W/24/3343033

1 Pockthorpe Lane, Thompson, Norfolk IP24 1PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Float against the decision of Breckland Council.
 - The application Ref is 3PL/2024/0051/O.
 - The development proposed is chalet bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development above from the planning application form, removing any wording that does not form an act of development, in the interests of clarity.
3. The application was made in outline, with all matters reserved for future consideration. Plans depicting the layout, scale and appearance were submitted with the application for illustrative purposes, and I have considered them on that basis only.
4. The National Planning Policy Framework (the Framework) was revised on 12 December 2024 and is a material consideration in planning decisions. Having regard to the matters that are most relevant to this appeal, there have been few substantive changes. Hence, I am satisfied that no one will be prejudiced by the changes to the national policy context.
5. The appeal site is located within the zone of influence of a number of European sites. The Council's third reason for refusal refers to the lack of a Unilateral Undertaking (UU) and payment in this regard. However, the appellant asserts that a UU has been submitted with the appeal along with confirmation that the required payment has been made to the Council. I will return to this matter later in my decision.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. The appeal site comprises part of the rear garden that currently serves the occupiers of 1 Pockthorpe Lane. No 1 is a detached bungalow with accommodation in the roof, located on the corner of Pockthorpe Lane and

Marlpit Road. The side boundary of the rear garden serving No 1 runs adjacent to and has frontage onto Marlpit Road.

8. In the vicinity of the appeal site, dwellings along the southern side of Pockthorpe Lane are served by both plots and rear gardens of consistent depths. The dwelling directly adjacent to the appeal site on Marlpit Road, 'Stornaway' appears to have a similar rear garden depth to those dwellings on Pockthorpe Lane. The remainder of the dwellings heading south along Marlpit Road appear to have deeper plots and rear gardens. The consistency and spaciousness of the plots and rear gardens form part of the settlement pattern in this area of Thompson and these features contribute positively to the character and appearance of the area.
9. There is an existing single storey garage on the appeal site. However, this appears as an ancillary building that serves the occupiers of No 1 and due to its scale, size and set back from the road, the sense of spaciousness is not diminished by its presence.
10. The proposed plot would be shorter in depth than the majority of the surrounding plots. Consequently, a new dwelling would sit in a significantly more confined plot than is typical of the surrounding area. Regardless of the scale and design of the proposed dwelling, given the limited depth of the plot, there would be limited space to the rear.
11. I accept that not all plot sizes and garden areas need to be identical. However, when experienced alongside the neighbouring plots the proposal would appear as a cramped form of development. It would also fail to respect the prevailing surrounding pattern of built form. Consequently, a new dwelling would appear as being confined within the site and the proposal would result in an incongruous addition to the settlement pattern. The proposal would also result in the significant reduction of the rear garden serving No 1 which would also be out of keeping with the surrounding pattern of development.
12. The appellant asserts that the proposal would not appear out of keeping, due to the fact the proposed dwelling would be the end plot on Marlpit Road and would be read as such, whilst No 1 would retain its existing relationship with other dwellings along Pockthorpe Lane. However, when moving along Marlpit Road towards the junction, the relationship between a new dwelling on the appeal site and No 1 would be clearly discernible.
13. To further reduce the impact of a new dwelling on the appeal site, the appellant considers that a planning condition could be imposed to ensure that it is restricted to single storey only. This would be at odds with the description of development which refers to a chalet bungalow, which typically involves accommodation in the roofspace. Nevertheless, I do not consider that requiring the proposal to be single storey would overcome my concerns set out above.
14. I therefore find that the proposal would be harmful to the character and appearance of the area. It would be contrary to Policies COM01 and GEN02 of the Breckland Local Plan September 2023 (LP). These policies seek, amongst other things, that new development should be designed to the highest possible standards and contribute, respect and be sensitive to the distinctive character of the local area. For the same reasons, the proposal would also be contrary to paragraph 135 of the Framework.

Other Matters

15. It is intended that the proposal would be a self-build dwelling. The Framework emphasises the importance of addressing the needs of groups with specific housing requirements, including people wishing to commission or build their own homes. The Self-Build and Custom Housebuilding Act 2015 (the Act) requires local authorities to give enough suitable development permissions to meet the identified demand for such development.
16. However, there is no substantive evidence before me that the Council is not meeting the requirements set out in the Act. Whilst I understand the appellant would be willing to enter into a legal agreement, there is no mechanism before me now, such as a planning obligation, that would ensure that the proposal would contribute a self-build plot. The appellant asserts that a planning condition could be used to secure the development as a self-build dwelling, however, it has not been demonstrated that a condition could be drafted that would meet the tests within paragraph 57 of the Framework in this regard. Accordingly, this matter carries limited weight in favour of the proposal.
17. Nevertheless, the appeal proposal would contribute one new home on a small site, which could be built out relatively quickly. This would support the Government's objective to boost the supply of housing. It is also stated that the proposal would enhance or maintain the vitality of the rural community of Thompson, with the appeal site being located within the settlement limits. The proposal would also provide economic benefits during the construction phase and after with future occupants supporting local facilities and services. However, given the limited scale of the proposal any benefits would be modest.
18. The appellant asserts that the appeal site is brownfield land. Even if I were to agree, any benefit arising from the proposal would be minor due to its small size and would not outweigh the identified policy conflict.
19. The appellant asserts that the Highway Authority did not object to the planning application, that the appeal site is not at significant risk of flooding, that there would be no adverse impacts on the amenity of occupiers of neighbouring dwellings and that sufficient parking provision would be provided for both dwellings. Even if I were to agree, policy compliance in these respects would not weigh in favour of the proposal.
20. I note that this is a revised proposal following a previous refusal by the Council and that the appellant sought to resolve the issues raised through the scheme before me. Be that as it may, I must consider the appeal scheme on its individual merits.
21. The Council's second reason for refusal referred to insufficient information being submitted in respect of ecology and biodiversity. The appellant submitted a Preliminary Ecological Appraisal (PEA) with the appeal. However, the Council states that it has not received the PEA and therefore has not been able to provide comments on it. Even if the PEA was to resolve the issues around biodiversity, given my findings above on character and appearance, this would not be determinative to my decision and would not override the harm that I have found. Therefore, I have not considered this matter further.

22. As identified above, the appeal site is located within the zone of influence for a number of European Sites. However, as I am dismissing the appeal based on the main issue, as set out above, it is not necessary to address the effect of the proposed development on European Sites in any further detail.

Conclusion

23. I conclude that the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

G Dring

INSPECTOR