
Appeal Decision

Site visit made on 18 March 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2025

Appeal Ref: APP/K2610/W/24/3348600

Land to the east of Manor Farm, School Road, South Walsham, Norfolk NR13 6DZ

- 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 David Murrell of D & C Murrell Limited against the decision of Broadland District Council.
 - The application Ref is 2024/0600.
 - The development proposed is provision of four self-build plots, with associated external works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address is taken from the decision notice and appeal form which accurately describe the location of the site.
3. The application has been made in outline with details of the access submitted for consideration at this stage and all other matters reserved. I have determined the appeal on this basis, taking any details pertaining to the reserved matters, as shown on the submitted drawings, to be for indicative purposes only.
4. A plan has been submitted with the appeal documents showing three dwellings. However, there is nothing within the submission that suggests that the appellant is seeking to amend the scheme by reducing the proposed number of dwellings. For the avoidance of doubt, I have determined the appeal based on a proposal for four self-building plots and not three.

Main Issues

5. The main issues are:
 - The effects of the proposal on the character and appearance of the area; and
 - Whether the appeal site is suitable for the proposed development, having regard to local and national policy.

Reasons

Character and appearance

6. The appeal site is a relatively flat field situated to the south of School Road. Along the majority of the site's boundary a narrow belt of trees separates the field from the carriageway. Nonetheless, there are open views of the site and the countryside beyond when approaching from South Walsham.

7. The small and compact rural settlement of Pilson Green is wholly located on the opposite side of School Road to the appeal site. To the west of the site, beyond a section of the field that would remain undeveloped, is a ribbon of dwellings that is separated from Pilson Green and the nearby village of South Walsham by a woodland and fields. The site appears outside of Pilson Green and South Walsham, and in combination with the agricultural fields beyond, contributes positively to their countryside setting.
8. I note that the development would be linear and low density in its form and therefore broadly comparable to the ribbon of development referred to above. Nevertheless, the proposed layout would lead to buildings spread across a significant proportion of the site. This would transform the appeal site from an open field to a housing development. The conspicuous loss of openness and the extension of Pilson Green arising from the proposed development would not reflect the historic settlement pattern and would significantly harm the open and rural character of the countryside in this part of School Road.
9. I therefore conclude that the proposal would be harmful to the character and appearance of the area. Accordingly, it would conflict with Policy 2 of the Greater Norwich Local Plan (LP) and Policies GC4 and EN2 of the Broadland Local Plan Development Plan Document (DPD), which seek to ensure, amongst other things, that new development is of a high standard of design that respects and enhances local character and protects gaps between settlements.

Suitable location

10. DPD Policy GC2 indicates that new development will be accommodated within the settlement limits defined on the policies map. The policy goes on to state that outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The main parties agree that the appeal site is located outside of the defined limit of any settlement. Accordingly, given the harm that I have identified, the proposal is not supported by Policy GC2.
11. Fairhaven Primary School and South Walsham Village Hall can be accessed on foot from the appeal site along a footpath adjoining School Road. The footpath also provides access to the tourist attraction, Fairhaven Woodland and Water Gardens which has a shop and café. Nonetheless, the nearest settlements where more extensive facilities, services and employment opportunities can be found, are a considerable distance away and would be accessed, for much of the route, along unlit roads with no footway and subject to the national speed limit. As a result, it is unlikely that the occupants of the proposal would walk to such settlements, particularly during times of darkness and inclement weather. The speed of vehicles along the route would also be likely to be off-putting for all but the most competent and confident cyclists. Furthermore, whilst there is a bus stop adjoining the site there is no evidence before me that the occupants of the site would have access to a frequent bus service, thereby providing a realistic alternative mode of transport. Consequently, the future occupants would be highly dependent on the use of private cars for most of their day-to-day needs.
12. At paragraph 83, the National Planning Policy Framework (the Framework) indicates that to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. It

goes on to say where there are groups of smaller settlements, development in one village may support services in a village nearby. Nevertheless, in view of the accessibility concerns I have identified, the benefits of the proposal, due to the support it would give to services in a nearby village, would be limited. In addition, given the small scale of the proposal it would not promote sustainable transport, or support improved infrastructure to encourage walking and cycling.

13. LP Policy 7.5 address self-build and custom build windfall housing development outside defined settlement boundaries. It indicates that small-scale residential development of up to three dwellings for self-build and custom build homes will be supported where sites are within or adjacent to settlements with and without a defined settlement boundary.
14. In this case, whilst the proposal is for self-build plots, it is for four dwellings and, therefore, even though the appeal is adjacent to the settlement of Pilsen Green, it would not be supported by this policy. Furthermore, as I have found that the proposal does not respect the character and appearance of the area it would conflict with LP Policy 7.5 even if the proposed number of dwellings were reduced to three or fewer.
15. Consequently, I find that the proposal would not be in a suitable location. It would conflict with LP Policy 2 and DPD Policies GC1 and GC2 as, for the reasons set out above, the proposal is not sustainable development, is outside of settlement limits and does not accord with LP Policy 7.5 relating to self-build development.

Other Considerations

16. Paragraph 73 b) of the Framework supports small sites to come forward for self-building and custom-build housing. The Self-Build and Custom Housebuilding Act 2015 requires local planning authorities to establish and publicise a register of those who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding. The Housing and Planning Act 2016, subject to exemptions a Section 2A, provides that authorities must give development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area.
17. The Council states that although using a new method for calculating what qualifies as a self-build and custom build plot has resulted in a reduction in the total number of plots provided, adequate provision is still being made to meet the registered demand. This appears to have addressed the concerns raised by the appellant that there are not enough serviced plots to meet the legitimate demand for self-build and custom housing in the area arising from its register.
18. In the absence of any compelling evidence that demonstrates otherwise, I find that there is not an unmet need for plots on the Council's self-build and custom housebuilding register. I therefore give limited weight to the proposed provision of self-build plots.
19. Whilst the extent of the shortfall is not specified, the Council has confirmed that, since the introduction of the revised standard method for calculating local housing need alongside the revised Framework, it cannot currently demonstrate a five-year housing land. The balance in paragraph 11 d) ii) of the Framework is therefore engaged.

Planning Balance

20. The proposal would make a modest contribution towards the Government's aims of boosting the supply of housing, and the associated economic and social benefits resulting from the construction and occupation of the dwellings would also be modest. For the reasons set out above, the proposed provision of self-build plots has limited weight.
21. The proposal would, however, be harmful to the character and appearance of the area. In addition, there are adverse impacts arising from its unsuitable location. Consequently, the proposal does not accord with the development plan. As the planning system should be genuinely plan-led these are matters of significant weight.
22. Overall, I find that the harm I have identified would significantly and demonstrably outweigh the benefits in this case, when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

Other Matters

23. Based on the evidence before me, the appeal site lies within the nutrient neutrality catchment area for the Broads Special Area of Conservation (SAC) and the River Wensum SAC. In addition, it is within the Zone of Influence of multiple European designated sites which are vulnerable to recreational disturbance. However, because the scheme is unacceptable for other reasons, there is no need for me to consider the implications of the proposal upon such designated sites as would otherwise be required by the Conservation of Species and Habitats Regulations 2017.

Conclusion

24. The development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
25. I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR