



Appeal Decision

Site visit made on 19 March 2025

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2025

Appeal Ref: APP/Y2620/W/24/3348714

Hurricane Farm Corner, Church Road, Lower Bodham, Holt NR25 6RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Gay against the decision of North Norfolk District Council.
 - The application Ref is PF/23/2684.
 - The development proposed is demolition of lawful existing building construction of new agricultural building.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are whether the agricultural building is justified within the countryside and the effect of the building on the character and appearance of the area.

Reasons

Justification for development in the countryside

3. The proposal relates to a modest smallholding located on Hurricane Farm Corner within countryside to the south of the A148 within the Norfolk Countryside. The North Norfolk Local Development Framework Core Strategy (CS) (2008) under Policy SS 2 limits development within the countryside to that which requires a rural location and which is for amongst other things, agriculture.
4. The supporting text to the policy provides further explanation, stating that while some development is restricted in the countryside, uses will be permitted amongst other things to support the rural economy. The text also indicates that development within the countryside should enable those who earn a living from the countryside to continue to do so. Policy SS 2 therefore allows agricultural development, but this should be for good reason and be justified.
5. At the time of my site visit there appeared to be only limited agricultural activity taking place at the small site. The evidence submitted alongside the appeal is limited in terms of its justification for this particular building at this particular site in terms of agricultural or economic need, even if it were as the appellant describes, an entry level building. There is no detail on how the building would result in a betterment of working practices.
6. I therefore conclude on this matter that the building is not adequately justified within this countryside location to enable it to take advantage of the concession

that Policy SS 2 of the Local Plan makes for agricultural development within the countryside. The proposal subsequently conflicts with Policy SS 2 of the CS.

Character and appearance

7. The immediate area contains parcels of woodland as well as fields within arable use. Farm buildings also contribute towards the rural character and appearance of the surrounds.
8. The proposed building would replace one that is existing on site. Whilst larger than that building, that proposed would not be excessively sized and would rise to a moderate height incorporating four bays with full height openings and a lower lean-to section. It would be of a wholly agricultural appearance.
9. The building would not be excessively sized when considered against the modest wider site and may offer some opportunity to consolidate the activities requiring shelter on the site offering some visual improvement from the somewhat scattered arrangement that I observed at the time of my site visit.
10. The site benefits from established existing screening, particularly from the adjacent road. This would limit the visibility of the building from outside of the appeal site itself. Overall, I conclude that there would be no adverse impact on the character or appearance of the area.
11. The proposal would not therefore conflict with Policy EN 4 of the CS which broadly requires high quality design. Amongst other things the policy requires that development proposals make efficient use of land whilst respecting the density, character, landscape and biodiversity of the surrounding area, be suitably designed for the context within which they are set and ensure that the scale and massing of buildings relate sympathetically to the surrounding area.

Other Matters

12. There is an existing lawful agricultural building although the evidence indicates that the footprint of the appeal building would be approximately double that of the existing lawful building. Moveable structures provide further livestock accommodation. However, respectively these neither have the size or permanence of the proposed building and are therefore afforded limited weight in justification for the proposal.
13. My attention has been drawn to an appeal decision relating to an agricultural building in Accrington¹. The Inspector noted in that appeal that there was no explicit requirement in local or national policy for the size or design of the proposed agricultural building to be justified in terms of its use and functionality.
14. However, that site appeared to relate to a farm of 7.8 hectares on which up to 150 lambs were kept. Further, that Inspectors decision was based in part upon previous decisions made by the particular Council involved with that case as well as an appeal decision within a neighbouring district. I do not have that information before me which limits the weight I can afford to that appeal decision. Further and in any event, the nature of the site and the level of agricultural activity appears to differ significantly from the site before me within this appeal which also limits the weight I can afford to that decision.

¹ APP/B2355/W/23/3315278

Planning Balance and Conclusion

15. There could be some visual improvement at the site through consolidation, although the benefits of that would be limited given the site is well screened. The proposal does not represent justified agricultural development within the countryside. The proposal therefore conflicts with the development plan and there are no considerations, including the provisions of the Framework² relating to the rural economy which indicate a decision should be made otherwise than in accordance with it. The appeal should therefore be dismissed.

T Burnham

INSPECTOR

² National Planning Policy Framework 2024.