



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: 06 May 2025

Appeal Ref: APP/Y2620/W/24/3350670

Land to the east of Cross Street, Salthouse, Holt NR25 7XH

- 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 James Bunn (J Bunn Homes Salthouse Limited) against the decision of North Norfolk District Council.
 - The application Ref is PF/23/2553.
 - The development proposed is demolition of farm buildings and erection of 5 dwellings.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the proposal on the character and appearance of the Conservation Area including the effect of the proposal on a Common Walnut tree (T2). The second is the suitability of the appeal site having regard to accessibility to services and facilities. The third main issue is the effect of the proposal on highway safety with particular regard to available visibility splays at the entrance to the site. The fourth is the effect of the proposal on the living conditions of future occupiers.

Reasons

Conservation Area/Trees

3. The main body of the site falls within Salthouse Conservation Area (the Conservation Area). The form and materials of the buildings within the Conservation Area along with the supporting open spaces and undeveloped areas and their planting are some of the key components of its significance.
4. The appeal site represents a gap in the existing built form of the village, serving as a farmyard. However, vegetation has taken hold and the site had a reasonably verdant and settled appearance at the time of my site visit, with brief views available from Cross Street. Accounting for the Austrian Pine (T1) and T2, the site currently makes a neutral contribution to the significance and therefore the character and appearance of the Conservation Area.
5. The evidence points towards a history of an arrangement of buildings at right angles to one another with long and linear form indicating that the appeal site was probably occupied by barns in agricultural use¹.

¹ Heritage Impact Assessment, Purcell, September 2023.

6. However, plots 1-3 would be detached and set separately on the site. Taking further account of their design where void is often prioritised over solid, they would rather have the appearance of suburban bungalows. This would not be sufficiently reflective of the nearby prevailing building layout and agricultural characteristics of the immediately surrounding area. The inclusion of these buildings in this arrangement would undermine the significance of the Conservation Area.
7. Flint dominates, forming an attractive and locally distinctive finish. That finish would be limited on the proposed dwellings at plots 1-3 although would be worked into the western gable of plot one. However, in any event it is feasible that increased use of this finish could be secured via condition.
8. T2 has been identified within the Tree Survey² as being a mature category A tree. The Council however consider that tree to be veteran and that it should be subject to a larger root protection area of 12m. The appellant does not firmly contend the categorisation of the tree.
9. The submitted plan shows that 12m root protection area being intersected by a corner of the dwelling at plot 1, the corner of the dwelling on plot 3 as well as part of an area that would be used for two parking spaces. There is therefore potential for disturbance within the root protection area and it is likely that the majority of tree roots are in the upper part of the ground.
10. Fully mature trees can die if only a small percentage of their roots are damaged. Whilst more sympathetic construction techniques could be used in and around the root protection areas, an unnecessary risk to the tree would remain due to the position of the tree relative to the proposed development. The loss or decline of T2 would detract from the significance of the Conservation Area.
11. The proposal would therefore overall undermine the significance of the Conservation Area. This would harm its character and appearance. As a result, the proposal would conflict with policies EN 2, EN 4 and EN 8 of the North Norfolk Local Development Framework Core Strategy (CS) (2008) which amongst other things state that development proposals will at a minimum protect and conserve the special qualities and local distinctiveness of the area, be of high quality design which reinforces local distinctiveness and at a minimum preserve the character and appearance of designated heritage assets.
12. The harm to the significance of the Conservation Area would be less than substantial and the Framework³ requires that this harm be weighed against the public benefits of the proposal. The Framework also advises at paragraph 193 that development resulting in the loss or deterioration of irreplaceable habitats such as amongst other things veteran trees should be refused, unless there are wholly exceptional reasons.

Services and facilities

13. Salthouse is low down in the settlement hierarchy and by reason of not being included as a coastal village or service village under Policy SS 1 of the CS the village is designated as countryside where development is restricted to particular types to support the rural economy, the provision of market housing is not included.

² Arboricultural Report - Greenlight Environmental Consultancy - 2023.

³ National Planning Policy Framework 2024.

14. However, Salthouse is a reasonably well sized village and includes a public house, church, village hall and a village store. The bus stops on the A149 Coast Road offer numerous services to Sheringham and Cromer which are identified as secondary and principal settlements respectively. It is likely that within these settlements a good range of services and facilities could be accessed.
15. There also appeared to be some surfacing works to improve foot access around the A149 at the time of my visit. Further, the services within the village can be accessed via footpath past the church which would offer a pleasant alternative at more favourable times of year.
16. Therefore, given the classification of Salthouse, there would be conflict with policies SS 1 and SS 2 of the CS. However, based on the particular location of the site, the availability of some services within the village and the availability of bus links to those in nearby larger settlements there would be realistic alternatives to the use of a private car. The appeal site would therefore have acceptable access to services and facilities.

Highway safety

17. The existing access principally forms a farm access with access to the yard which forms the site and fields beyond. The evidence indicates that any continued agricultural use of the access would de-intensify as a result of the proposals.
18. The appellant has undertaken speed surveys and vehicle counts of traffic on Cross Street. The traffic counts show that the road is not especially busy. The evidence indicates that based on the recorded 85th Percentile speed of 19mph, a visibility splay measuring 23m in both directions would be required, with a 2.4m set back.
19. At that set back, the available splays appear to be 21m to the north and 19m to the south. Improved splays are available at a 2m set back and given that the area is lightly trafficked, I consider that for this particular site in this particular location, which is well within the village, the available visibility splays would have no significant adverse impact on highway safety.
20. There would therefore be no conflict with Policy CT 5 of the CS which amongst other things requires that a proposal is capable of being served by an appropriate access to the highway network.

Living conditions

21. The positioning of the dwelling at plot no.1 within the site would mean that it may be possible to see into that dwelling or its garden area from first floor windows at the neighbouring property to the south. Further, the positioning of that property to the south may result in sunlight to the garden area being restricted at some times of the day or year.
22. However, within what is often a closely developed village environment such as Salthouse, it would not be unusual to be able to see into another properties garden, nor to have some restriction on sunlight to the garden area. The proposal would not therefore cause any substantial harm to the living conditions of future occupiers. Subsequently, there would be no conflict with Policy EN 4 of the CS which amongst other things requires that new dwellings should provide acceptable residential amenity.

Other Matters

23. The appeal site is located in close proximity to amongst other sites the North Norfolk Coast SAC, The Wash and North Norfolk Coast SAC and the Greater Wash SPA and the proposal could affect these sites through pressure for increased recreational use. Whilst acknowledging that the evidence indicates that the payment towards the recreational and avoidance mitigation strategy has been made, there is no need to undertake a Habitats Regulations Assessment or consider this matter further as the scheme is unacceptable for other reasons.
24. The site is located within the Norfolk Coast National Landscape. However, the Council appear to indicate that the proposal would not have any adverse impact on the National Landscape. I have no reason to disagree and the proposal would not compromise the purpose of conserving and enhancing the natural beauty of the National Landscape.
25. The appeal site falls within the Rolling Heath and Arable Type as classified within the Landscape Character Assessment. Despite the character assessment identifying settlement expansion as a force for change / detractor, the proposal would not extend into areas outside of the existing built envelope of the village to any significant degree given that the appeal site is well related to the settlement. Any limited adverse landscape or visual effects could be reduced to an acceptable level by requiring details such as those relating to proposed soft landscaping, boundary treatments and lighting.
26. The evidence indicates that the Council cannot demonstrate a five year supply of housing land. However, given the effect of the proposal on the character and appearance of the Conservation Area including the potential for harm to T2, which is considered an irreplaceable habitat, the application of Framework policies relating to designated heritage assets and irreplaceable habitats provide clear reasons for refusing the development proposed. The balance in paragraph 11d) of the Framework does not therefore apply.

Planning Balance and Conclusion

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
28. There would be public benefits to the scheme. These would include a boost to housing supply within the context of a lack of 5 year housing land supply identified at 4.13 years within the evidence. That figure pre-dates any changes which could have been associated with the revised Framework of December 2024. However, my conclusions on this particular case would not change even if that substantially altered the supply.
29. The appeal site would have acceptable access to services and facilities and a residential scheme would be likely to be a more neighbourly use than that as a farmyard and could result in remediation to the site and less heavy vehicle movements. The site is within single ownership and the dwellings could be delivered in the short term. The scheme would contribute to the vitality of the village and would have economic benefits of the type normally associated with such a scheme.

30. The proposal would conflict with the Framework in that it would result in less than substantial harm to the significance of the Conservation Area, harm which would not be outweighed by the arising public benefits. The application of Framework policies relating to designated heritage assets and irreplaceable habitats provide clear reasons for refusing the development proposed. These are matters which weigh against the proposal. There is conflict with the development plan around these matters.
31. To conclude, the proposal would conflict with the development plan and there are no material considerations which indicate a decision should be made otherwise than in accordance with it. The appeal is therefore dismissed.

T Burnham

INSPECTOR