



Appeal Decision

Site visit made on 10 February 2025

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2025

Appeal Ref: APP/F2605/W/24/3346832

Land adjacent to Aldecarr Hall, Attleborough Road, Great Ellingham NR17 1LQ

- 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 Daniel Arpels of Arpels Developments Ltd against the decision of Breckland Council.
 - The application Ref is 3PL/2024/0350/F.
 - The development proposed is described as “two proposed 1.5 storey dwellings”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the determination of the application, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and amended on 7 February 2025. Those parts of the Framework most relevant to the appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am satisfied that no parties interests would be prejudiced by my taking this approach.

Main Issues

3. The main issues are:
 - whether the appeal site is a suitable location for the development proposed,
 - the effect of the proposed development on the character and appearance of the area, and
 - the effect of the proposed development on highway safety.

Reasons

Whether a suitable location

4. The appeal site lies outside of the settlement boundary of Great Ellingham, within the countryside.
5. Policy GEN 05 of the Breckland Local Plan 2023 (LP) states, among other things, that development outside the defined settlement boundaries will only be acceptable where it is compliant with all relevant policies set out in the development plan, including LP Policy HOU 03. This is also reflected in LP Policy GEN 03, in relation to areas outside the development hierarchy.

6. LP Policy HOU 03 seeks to resist development proposals unless it meets all of the criteria listed within it. In respect of the first criterion, the site lies some distance from Great Ellingham and does not adjoin the settlement boundary. While noting the proximity of the approved planning applications¹ and that the 30mph speed limit has been moved closer to the appeal site, there is, nevertheless, clear separation between these approved developments and the appeal scheme. As such, even if the approvals were built out, the proposed development would not be immediately adjacent to the settlement boundary.
7. With regard to the second criterion, the appeal evidence confirms that the dwelling target for the village is 195. With current completions, commitments and allocations, the total number of dwellings allocated is 519. As such, the provision of two dwellings would further contribute to the number of dwellings in the settlement significantly exceeding the housing target.
8. The appeal scheme conflicts with the first two criteria outlined by LP HOU 03. Given that this policy requires development proposals to comply with all four points, there is no requirement for me to consider the remaining criteria.
9. For the above reasons, the appeal site is not a suitable location for the development proposed, contrary to LP Policies GEN 03, GEN 05 and HOU 03.

Character and appearance

10. The appeal site, although close to existing built development, is largely surrounded by open countryside. It comprises a predominately undeveloped, overgrown area, enclosed by trees and vegetation. As such, the appeal site contributes to the open, verdant and rural character of the area.
11. The appeal scheme seeks to erect two detached properties. The introduction of built form in a countryside location would, through the erosion and urbanisation of a largely open and undeveloped area of land, inevitably change the character of the appeal site. This would be harmfully at odds with, and detrimental to, the intrinsic character and beauty of the countryside.
12. In conclusion, the proposed development would unacceptably harm the character and appearance of the area. This is contrary to LP Policies GEN 02, COM 01 and ENV 05, which seek, among other things, to ensure development respects and is sensitive to the character of the surrounding area and recognises the intrinsic character and beauty of the countryside.

Highway safety

13. The appeal site would be accessed from the B1077 Attleborough Road, via an existing driveway. The B1077 is designated as a Category 3A2 Main Distributor Route and described as a busy highway whose primary function in such a location is to carry high volumes of traffic. While only a snapshot in time, during a quieter part of the day, at the time of my visit there was a regular flow of traffic, including HGVs, along the B1077.
14. The B1077 has a straight alignment past the appeal site, which then bends away to the north on entering Great Ellingham. While the 30mph speed limit through

¹ Annotated on drawing number 224/PP/151 Rev 0

Great Ellingham has been extended closer to Aldercarr Hall, nevertheless, the national speed limit applies at the appeal site junction with the B1077.

15. The village of Great Ellingham and its services and facilities, including a primary school, village shop and bus stops, are theoretically within walking distance from the appeal site. However, there are no pavements or streetlights within the vicinity of the appeal site entrance.
16. Therefore, having regard to the speed limit at the appeal site entrance and the busy nature of the B1077, this would not represent a safe or attractive option for occupiers of the appeal scheme to walk, or cycle, to the village, particularly after dark or during inclement weather, or for those with children, reliant on a wheelchair or with mobility issues. Consequently, the proposed development does not provide a safe access for all users.
17. Permission has been granted for nearby development² which includes references and agreements for footpath connectivity to the village. As such, the appellant has indicated their willingness to provide a footpath³. The appellant has highlighted other approved developments⁴ delivering footpaths which the appeal scheme could connect to. As such, the proposed footpath seeks to provide a link between the appeal site and a development known as Mellor Metals.
18. While such works may be within the ownership of the Highway Authority and subject to a Section 278 legal agreement, the proposed footpath falls outside of the red line application site boundary. Consequently, there is no mechanism in which to secure these works should the appeal be approved.
19. Moreover, limited information has been provided with regards to the status of the Mellor Metals development. Therefore, should the Mellor Metals site not be implemented, the proposed footpath would not provide a continuous link from the appeal site to the existing footway on the northern side of the B1077, adjacent to The Hoprounds.
20. While it has been asserted that the objections raised by the Highway Authority were addressed without the need for revised plans, nevertheless, the Highway Authority has maintained their objection in respect of the proposed turning facility.
21. In cases where a private drive is in excess of 20m, such as the appeal scheme, the Safe, Sustainable Development Aims and Guidance notes for Local Highway Authority requirements in Development Management 2022 requires a size 3 turning head which is separate to any parking provision.
22. Although the appeal scheme includes a size 3 turning head, it adjoins the parking area for both plots. In view of this, the narrow width of the appeal scheme drive and substantive evidence to the contrary, it is likely that vehicles would be parked on the turning space. Should such parking occur, it would restrict the use of the turning area and drivers would not be able to manoeuvre sufficiently within the appeal site in order that they are able to enter and leave in a forward gear. Consequently, vehicles are likely to exit the site in reverse gear onto the busy B1077. This would result in vehicle movements within the highway, thereby

² Planning application references 2017/1055 and 2019/0561

³ Route of proposed footpath shown on drawing number 224/PP/310

⁴ Annotated on drawing number 224/PP/151

increasing the risk of conflict with other road users, to the detriment of highway safety.

23. Therefore, the proposed development would have a harmful effect on highway safety. As such, it would not accord with LP Policies COM 01, TR 01 and TR02. Collectively, these seek, among other things, to ensure development proposals do not compromise highway safety and enable safe access for vehicles and for walking and cycling.

Other Matters

24. The appeal scheme would contribute towards the housing supply in the area, thereby supporting the Government's objective of significantly boosting the supply of homes. The appellant states that the area has been affected by nutrient neutrality, with developers, builders and designers being made redundant or companies closing as a result of a lack of housing being built, thereby adding to the cumulative economic impact on the local economy and building industry.
25. Having regard to the concerns raised in respect of nutrient neutrality and its impact upon the building industry, the proposal would lead to some social and economic benefits through the construction of the properties and the activities of the future residents of the scheme. Given the scale of the proposed development, even cumulatively, these benefits attract modest weight. An absence of objections from statutory consultees is a neutral matter, that neither weighs for or against the appeal scheme.
26. The appeal site lies within the Zone of Influence of one or more of the protected habitat sites falling under the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy. The appellant has submitted a draft Unilateral Undertaking intended to secure a financial contribution to mitigate any adverse effects on the integrity of such sites.
27. In addition, the planning application was assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution. In this regard, the evidence indicates that the appeal site is located outside of the catchment area identified by Natural England, with the appellant demonstrating that the development would not drain into the catchment.
28. While noting these matters, given that I am dismissing this appeal on other grounds, it is not necessary for me to consider the integrity of protected habitat sites any further, nor undertake an appropriate assessment.

Conclusion

29. For the above reasons, I conclude that the proposed development would conflict with the development plan as a whole. There are no material considerations, including the Framework, that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR