



Appeal Decision

Site visit made on 21 July 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/K2610/W/25/3363614

Land Opposite The Cottage, Weston Green Road, Norwich, Norfolk NR9 5LB

- 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 Ruth Goodall against the decision of Broadland District Council.
 - The application Ref is 2024/0798.
 - The development proposed is A self-build dwelling with garage and change of use of agricultural land to residential curtilage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on neighbouring occupiers, with particular regard to noise;
 - the effect of the proposal on existing trees;
 - the effect of the proposal on highway safety; and
 - whether the appeal site would be a suitable location for the proposed development, having regard to the spatial strategy.

Reasons

Living Conditions

3. An air source heat pump will be the primary source of heating and hot water for the proposed dwelling. No information has been provided as to its location, design and specification.
4. While I accept that the Council requires further details regarding the potential noise generated by it, I am satisfied that the air source heat pump could be adequately positioned while maintaining the living conditions of the neighbouring occupiers, subject to appropriate conditions.
5. Therefore, the proposal would not harm the living conditions of the neighbouring occupiers, with particular regard to noise. It would comply with Policies GC4 Part (iv) and EN4 of the Development Management DPD (2015) (DPD), where they require development to consider the impact upon the amenity of existing properties.

Existing trees

6. The appeal site comprises numerous trees and hedges, predominantly located along the boundary of the site. When viewed in combination, the existing trees form a considerable canopy which contributes to the verdant, rural character of the area.
7. The appellant acknowledges that the proposal might have a negative effect on the existing trees, but that this can be avoided by using 'no-dig' techniques. Whilst this may be the case, I have no substantive evidence before me to support these statements. Further, it would not be appropriate to condition such surveys, as the results could potentially preclude the development.
8. Therefore, I must take a precautionary approach and find that the proposal would result in significant damage to the existing trees. Such that, it would harm the contribution that the trees make to the rural character of the area.
9. Overall, I conclude that the proposal would unduly harm existing trees. It would conflict with Policy EN2 of the DPD which seeks to ensure that development protects and enhances natural features which make a significant contribution towards defining the character of an area.

Highway Safety

10. The appeal site is located on a rural road, the proposal would utilise an existing access. The junction between Weston Green Road and Breck Road is located a short distance to the west. In addition, an existing access on Honingham Road would be stopped up.
11. Although the speed limit of Weston Green Road is 60mph, given the narrow width of the road and the proximity to the junction, the Council have suggested that vehicles passing the site would be traveling at approximately 25 mph. Therefore, visibility splays of 2.4m x 45m in both directions would be required to ensure highway safety, when exiting the site.
12. The existing access and the access on Honingham Road, currently have a limited number of vehicle movements associated with the site's agricultural use, the proposal would intensify the use of the Weston Green Road access and increase the number of vehicles entering and exiting the site.
13. The Council asserts that the visibility splays would be 2.4m x 13m to the east and 2.4m x 35m to the west and I have no reason to disagree. The visibility splays would be significantly below the recommended figures, particularly to the east, and I have no substantiated evidence to justify a deviation of that magnitude. As such, despite the stopping up of the Honingham Road access, the lack of adequate visibility and the increased number of comings and goings would increase the potential conflicts on Weston Green Road, detrimentally affecting highway safety.
14. I note that mitigation proposals related to the dualling of the nearby A47 include the closure of Weston Green Road and the reduction in speed limit to 30mph. However, none of the mitigation proposals described have been implemented. Whilst the appellant asserts that the mitigation will take place, there is no mechanism before me which would secure this in relation to the appeal development.

15. Further, even if the road were closed to through traffic with a speed limit of 30mph, there would still be traffic movement associated with local access requirements. Hence, there would still be conflict between vehicles accessing and egressing from the appeal site and those already on the road, to the detriment of highway safety.
16. Consequently, I conclude that the proposal would harm highway safety. It would conflict with Policy TS3 of the DPD where it precludes development that would result in significant adverse impact upon the safety of the highway network.

Location

17. The area is rural, characterised by low-density properties set within large verdant plots. The appeal site comprises agricultural land with two existing sheds. The site's primary frontage is to Weston Green Road, with dwellings on either side.
18. Policy 1 of the Greater Norwich Local Plan (March 2024) (GNLP) outlines the spatial strategy for the distribution of housing within the area, with development largely focussed on urban areas. However, GNLP Policy 7.5 supports self-build windfall housing development on sites within or adjacent to settlements without a defined settlement boundary, subject to certain criteria. Further, Table 6 which forms part of the preamble to Policy 1 of the GNLP establishes that Policy 7.5 provides for the delivery of self-build homes on small sites within recognisable groups of dwellings.
19. The parties agree that the appeal site is not located within a defined settlement boundary. Whilst Weston Green, including the appeal site, is spatially and visually disconnected from Weston Longville and the surrounding area is rural, the properties which collectively make up Weston Green form a recognisable group of dwellings with a distinct built form, which I consider to be a settlement without a defined settlement boundary.
20. Consequently, as the appeal site lies within Weston Green, the proposal would comply with this part of GNLP Policy 7.5 and it is necessary to assess the proposal against the remaining criteria. The proposal would be reflective of the density within Weston Green, it would also have a ratio of building footprint to the plot area that is consistent with the existing nearby properties. Nonetheless, as set out above the proposal would unduly harm existing trees and highway safety.
21. As such, I must conclude that the appeal site would not be a suitable location for the proposed development, having regard to the spatial strategy. It would conflict with Policies 1 and 7.5 of the GNLP and Policy GC2 of the DPD, insofar as they require development to result in no significant adverse impacts on landscape and the natural environment as well as accordance with other policies of the local plan.

Other Matters

22. The parties agree that the development is within the Broads Special Area of Conservation and River Yare Catchment and therefore must demonstrate nutrient neutrality. The appellant suggests that the replacement of a septic tank within the blue line boundary with a Graf One2Clean sewage treatment plant or similar would more than offset the nutrient harm created by the proposal.
23. However, as I have already identified harm in respect of the main issues, it is not necessary for me to undertake an appropriate assessment, as even if no harm was identified or any harm successfully mitigated, these would be neutral

considerations at best and therefore would not alter the outcome of the appeal. In these circumstances, it is not necessary to consider these matters further for the purposes of my decision.

24. The proposal would contribute to windfall housing within the local area and self-build targets. However, this does not outweigh the harm identified above.

Conclusion

25. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the National Planning Policy Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR