



Appeal Decision

Site visit made on 31 July 2025

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 August 2025

Appeal Ref: APP/L2630/W/25/3359821

Land off Rectory Road, Aldeby NR34 0AB

- 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 Michael Ashford against the decision of South Norfolk District Council.
 - The application Ref is 2023/2210.
 - The development proposed is described as 'the proposal is for up to two dwellings'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline form with all matters reserved with the exception of access. The drawings showing the proposed layout, floor plans, elevations and street views/visuals of the proposed development have therefore been assessed as being for indicative purposes only.
3. The appellant has submitted a signed unilateral undertaking (UU) which secures a financial contribution to mitigate the effect of the development on the integrity of European habitat sites, including the Broads, Valley Fens and the North and East Coast Sites in accordance with the requirements of the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). The Council is satisfied that its fifth reason for refusal has been addressed, and I have found no reason to disagree. As there is no longer any dispute with regards to this particular matter, I have defined the main issues on this basis.
4. Since the determination of the application, a revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties have had the opportunity to comment on the revisions during the appeal and any comments received have been taken into account.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the area, including hedgerow; and
 - whether the appeal site is a suitable location for the proposed development having regard to the development plan and site accessibility.

Reasons

Character and appearance

6. Rectory Road connects the settlements of Aldeby and Burgh St Peter. Aside from limited areas of ribbon development, the route is predominantly characterised by grass verges, hedgerows and mature trees. These elements frame intermittent views towards open fields beyond and collectively contribute positively to the distinctly rural character of the route.
7. The appeal site occupies a corner position at the junction of Rectory Road and an access track. The site forms part of a larger agricultural field that rises in gradient away from Rectory Road. A mature hedgerow delineates most of the site's boundary with these routes and is a prominent feature of the countryside in this location. There is disagreement between the main parties as to whether sections of the hedgerow proposed for removal qualify as 'important' under the relevant criteria¹. However, in any case Policy DM4.8 seeks to safeguard all significant hedgerow not solely 'important' hedgerow. The hedgerows around the public boundaries of the site are significant in this context and the appeal site has verdant and open qualities that contribute positively to the character and appearance of the surrounding landscape.
8. Although layout, scale and appearance are reserved matters, the indicative siting plan illustrates that, due to the position of the proposed access point at the rear of the site, the proposed dwelling or dwellings would likely be oriented with their rear elevations facing Rectory Road. Irrespective of their final size or orientation, views of up to two dwellings would likely be achievable from Rectory Road, as illustrated in the appellants visual representations. These views would be particularly pronounced due to the elevated level of the land and the gaps / reductions in the hedgerow introduced to provide vehicle and pedestrian access alongside the required visibility splays.
9. As a result of all these likely changes flowing from the introduction of up to two dwellings on this site, the proposed development would result in an urbanising effect and would erode the existing green edge provided by the appeal site. The introduction of permanent built form and residential activity would alter the site's character and diminish its contribution to the rural and landscape setting. While there would be scope to infill gaps in the hedgerow along Rectory Road and additional planting is proposed, including along the north boundary of the site which may assist in compensating for the loss of habitat, such measures would not effectively mitigate the visibility of the proposed development within the street scene. Moreover, any screening benefits would take a considerable period to establish and mature.
10. I conclude that the proposed development would have an unduly harmful effect on the character and appearance of the area, including the hedgerow. In this regard, the proposal would conflict with Policies 2 and 3 of the Greater Norwich Local Plan (2024) (GNLP) and Policies DM1.4, DM3.8, DM4.5 and DM4.8 of the South Norfolk Local Plan Development Management Policies Document (2015) (DMPD) which require development proposals to respect the character of the local area, to enhance the natural environment, to respect, conserve and where possible enhance landscape character and to safeguard significant hedgerows. I find no

¹ as defined by the Hedgerows Regulations 1997.

specific conflict in relation to Policy DM2.8 of the DMPD since this does not relate to the erection of new dwellings.

11. For the same reasons, the appeal proposal would conflict with the Framework, notably paragraphs 129 d), 135 c) and 187 b), which support development that maintains an area's prevailing character and setting; seeks to ensure that developments are sympathetic to local character and required decisions to recognise the intrinsic character and beauty of the countryside.

Location

Settlement hierarchy

12. Policy DM1.3 of the DMPD sets out a strategy to guide new development to sustainable locations and sets out a hierarchy of settlements as the focal points for communities. There is no dispute between the main parties that the appeal site is located in the countryside, outside of any defined development boundary, including the settlement boundary for Aldeby.
13. Even if there was no settlement boundary defined in the DMPD, there is a substantial gap between the site and the row of five dwellings fronting Rectory Road, located closer to the settlement of Aldeby. Although the appeal site adjoins Greenacres to the east, Greenacres itself is not prominent within the street scene and does not contribute to a sense of built continuity. The appeal site is otherwise surrounded by countryside. Whilst a footpath link connects the site to the village, this does not overcome the site's physical and visual detachment from the main built-up part of the village.
14. Specifically in relation to development in the countryside outside of the defined settlement boundaries of settlements, Policy DM1.3 of the DMPS states that planning permission will only be granted where specific development management policies allow for development outside of development boundaries or if overriding benefits in terms of economic, social and environment dimensions as addressed in Policy DM1.1 are demonstrated. Matters relating to Policy DM1.1 are addressed in subsequent sections of this decision, including the planning balance.
15. In relation to specific development management policies which allow for development outside of development boundaries, the application form states that the development would be self-build and custom build. Whilst not a policy within the DMPD, Policy 7.5 of the GNLP states that small-scale residential development of up to 3 dwellings for self-build and custom building for people who meet specified eligibility criteria will be permitted on sites that are within or adjacent to settlements with or without a defined settlement boundary. Given my findings above, the appeal site is not considered to be located within or adjacent to a settlement. Even if it was, given my findings under the first main issue, the proposal would not respect the form and character of the settlement in accordance with the requirements of Policy 7.5 of the GNLP. My attention has not been drawn to any other specific development management policies that the appeal proposal would comply with.
16. I accept that the site is situated sufficiently close to other dwellings so as not to be considered isolated for the purposes of applying the requirements of paragraph 84 of the Framework. Nonetheless, the location cannot be considered adjacent to a settlement.

Accessibility

17. Aldeby itself has no substantial day-to-day services and facilities and occupiers of the proposed development would likely need to access larger settlements including Beccles, Lowestoft and Norwich on a regular basis for schooling, convenience shopping, health provision and employment provision.
18. Whilst there is a footpath along Rectory Road leading towards Burgh St Peter, this does not connect fully connect to that village. Furthermore, given the round-trip distance and limited services and facilities also available in that village, occupiers would likely only make this journey on an occasional basis. Whilst Aldeby also benefits from a bus stop and buses could provide an alternative option to the private motor vehicle, the evidence before me indicates that this service is limited, only being served by a single service in both directions on a daily basis Monday to Friday, connecting the settlements of Aldeby, Beccles, Loddon and Norwich.
19. The appellant has drawn my attention to paragraph 89 of the Framework which states that sites may have to be found adjacent to or beyond existing settlements to meet local business and community needs. However, I am not satisfied that the proposal would equate to a specific community need.
20. Overall, it is probable that not all of the occupiers of the proposed development would find these other modes of transport easily accessible from the appeal site and occupiers would therefore be likely to heavily rely upon access to services and facilities via a private vehicle. Whilst recognising that sustainable transport solutions will vary between urban and rural areas, the location of the appeal site would not limit the need to travel or offer a genuine choice of transport modes in accordance with Paragraph 110 of the Framework. The proposal would result in high car dependency contrary to Chapter 8 of the Framework which advocates the creation of places that promote social interaction and encourage walking and cycling, thereby helping to provide inclusive and safe places which support healthy lifestyles.

Findings on the second main issue

21. Accessibility is not the only factor in considering whether the proposed development would meet the sustainable development needs of the area. Sustainable patterns of development in line with the spatial strategy for the area are also important for environmental reasons, including for example to ensure the proposed development does not harm the character and appearance of the surrounding countryside, a matter to which I have identified harm under the first main issue.
22. I conclude that the proposed development would not be a suitable location for the proposed development having regard to the development plan and site accessibility. In this regard, it would conflict with Policies 1 and 7.5 of the GNLP and DM1.3 and DM3.10 of the DMPD which seek, amongst other things, growth in line with the settlement hierarchy, self-build and custom build housing development to be located within or adjacent to settlements and all development to support sustainable transport and development objectives.
23. Whilst not referred to in the Council's decision in relation to this particular main issue, the proposal would also conflict with Policy 2 of the GNLP which state that development proposals should ensure convenient access for all, including by

non-car modes, to local services and facilities. The development would also be contrary to the Framework insofar as it requires the planning system to be genuinely plan-led and to actively manage patterns of growth.

Other Considerations

24. The proposal would provide social benefits by making a minor yet positive contribution to housing supply and housing mix in the local area. The proposed development would also deliver up to two dwellings that would utilise modern construction and energy saving techniques, with the potential to be carbon negative. Economic benefits of the proposal include employment during construction and despite the likely reliance of the private vehicles, additional support for services and facilities in the local area would nevertheless occur. Environmental benefits include the proposed provision of ecological mitigation land, a green roofs/wall and the provision of bee bricks and bird boxes. However, given the scale of the development, this and any other benefits associated with the delivery of up to two dwellings, would be limited.
25. Benefits could be derived from the provision of self-build/custom build development and the evidence before me indicates that the Council may not have granted sufficient permissions to meet the demand for self-building/custom build dwellings in its area. However, even if the appeal proposal would meet an unmet need on the Council's self and custom housebuilding register, there is no mechanism before me, such as a legal agreement, to secure this in any event.
26. The appellant has drawn my attention to an appeal for the erection of a self-build dwelling on land north of Thistle Barn². The appellant asserts that the appeal site subject of that appeal was less connected to local services and facilities than the appeal site and has a similar effect on character and appearance. However, this site is not located near to the appeal site or the settlement of Aldeby and the site-specific character and appearance and locational factors associated with that appeal therefore differ from the appeal proposal. Accordingly, the circumstances of that appeal decision were materially different to the proposed development before me. In any event, even if similar dwellings have been approved elsewhere, this does not alter my observations in respect of the site-specific circumstances of the appeal proposal.

Other Matters

27. Under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) as the competent authority, it is necessary to consider the likely significant effects of the proposed development, alone or in combination with other plans or projects, on the integrity of these sites the European habitats sites identified under the preliminary matters. Natural England has confirmed that the GIRAMS secured by the UU would be acceptable in terms of mitigating the recreational disturbance from the appeal proposal. Even so, an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. Since I am dismissing the appeal for other reasons, it is not necessary to address the proposed development's effects on European sites in further detail.

² Appeal ref: APP/L2630/W/24/3346313

28. The Council identified no other harm, subject to conditions where necessary, including in relation to highway safety, flood risk, drainage and archaeology. However, these considerations indicate the absence of harm rather than any benefit.

Planning Balance

29. The Council has acknowledged that it is not currently able to demonstrate a five-year housing land supply. As such, Paragraph 11 d) of the Framework is a relevant consideration.
30. In the particular circumstances of this case, I have concluded that the site is not a suitable location for the proposed development having regard to the development plan and site accessibility and would result in undue harm to the character and appearance of the area, including the partial loss of a significant hedgerow. I find that the harm identified, and the associated policy conflict would be significant and should weigh to a substantial extent against the scheme. This harm could not be overcome by planning conditions or details at the reserved matters stage.
31. The adverse effect on the character and appearance of the area, and the unsuitability of the location for the reasons explained, would be contrary to the aims and policies of the Framework. I therefore give the conflict with the relevant development plan policies substantial weight.
32. It is recognised that a site such as this can make a small albeit valuable contribution to the housing requirement of the area and could potentially be built out more quickly than a larger scheme. The proposal would also provide limited associated socio-economic benefits that would arise from construction and additional support for local services and facilities in nearby areas. Even if the housing shortfall was substantial, as only up to two additional units of accommodation would be provided, I consider that the benefits of the scheme should be attributed limited weight in favour of approval.
33. Taking into account the above conclusions, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. As a result, the proposal would not be sustainable development within the meaning of the Framework, and this weighs heavily against the proposal. Therefore, the presumption in favour of sustainable development does not apply.
34. On this basis, overriding benefits in terms of economic, social and environment dimensions as addressed in Policy DM1.1 have not been demonstrated, and there is also conflict with this key policy in the development plan.

Conclusion

35. The proposal would conflict with the development plan as a whole and the material considerations, including the provisions of the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

H Marriott

INSPECTOR