



Appeal Decision

Site visit made on 12 August 2025

by **I A Dyer BSc (Eng) FCIHT**

an Inspector appointed by the Secretary of State

Decision date: 10 September 2025

Appeal Ref: APP/L2630/W/25/3361345

Willow View Farm, Brooke Road, Shotesham, Norfolk, NR15 1XN

- 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 and Mrs Farrow against the decision of South Norfolk District Council.
 - The application reference is 2024/0221.
 - The development proposed is erection of a self-build dwelling including new access and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellants submitted two completed planning obligations in the form of Unilateral Undertakings (UUs) under Section 106 of the Town and Country Planning Act 1990. One, dated 20 March 2025, would provide contributions towards mitigation measures in respect of the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS), and the other, dated 1 April 2025 secures the development as a self-build home. The Council has had the opportunity to comment on the UUs and I have taken account of the UUs in my decisions.
3. Since the submission of this appeal the Council has adopted the Broadland and South Norfolk Custom Build and Self-Build Housing Supplementary Planning Document (SPD). This document now forms part of the development plan. The parties have had the opportunity to comment on the SPD and I have taken any comments that I have received into account in my decision.

Main Issues

4. The main issues in this appeal are: -
 - The effect of the proposal on the character and appearance of the site and the surrounding area; and: -
 - Whether the site is a suitable location for a dwelling, having regard to local policies for the delivery of housing and with particular reference to access to facilities and services.

Character and appearance

5. The appeal site lies on the outskirts of a small cluster of dwellings and farm buildings. It lies within the B1: Tas Tributary Farmland Landscape Character Area as identified in the South Norfolk Landscape Assessment: Final Report.
6. Amongst the key features of the landscape character area are a dispersed settlement pattern in a gently undulating to flat and sloping landscape, with large, open arable fields with scattered remnant hedgerow trees and small blocks of deciduous woodland.
7. The small group of buildings lies within open, flat farmland, comprising arable fields and paddocks, separated by hedges containing trees. The verdant, agrarian nature of the countryside are features which make a positive contribution to the distinctly rural character and appearance of the area and reflect the key features of the landscape character area.
8. The site is grassed and has the appearance of a large paddock, rising gently away from the road, bounded by established mature hedging and trees. The openness and verdancy of the site make a positive contribution to the features identified above.
9. The proposal would introduce a substantial building, set back off the road towards the centre of the field. When viewed from the road fronting the site, the lower floor of the dwelling would be largely concealed by an extensive earth bund, to be formed using displaced earth from the footprint of the building. However, the upper storey would be plainly visible.
10. Notwithstanding that the upper storey would have an agrarian appearance, reminiscent of a large barn, its positioning, away from other farm buildings towards the middle of the field, would be incongruous for a farm building. The built form would undermine the spaciousness of the site and the contribution that this makes to the surrounding area.
11. Whilst gentle slopes are not unknown in the area, the slope of the bunding would be of a degree and form such that it would create an incongruous, intrusive feature within the largely flat, or gently sloping landscape.
12. The building would introduce substantial built form into the paddock, outside of the existing building grouping and encroaching into the adjacent open countryside, undermining the spaciousness of the rural landscape.
13. The proposal would thus act to harmfully undermine the positive features of the site and the surrounding area that I have identified above. This would be readily apparent from persons travelling on the road. In the wider area the proposal would be less visible due to the intervening lie of the land and planting. This limits the effect of the proposal on the character and appearance of the area to its more immediate vicinity but, nonetheless, significant harm results.
14. I therefore conclude that the proposal would have an adverse effect on the character and appearance of the area, resulting in material harm. It would, thus, be contrary to the aims of Policies DM1.4, DM3.8 and DM4.5 of the South Norfolk Local Plan (2015) (the SNLP) and Policy 2 of the Greater Norwich Local Plan (2024) (the GNLP) in as much as together these, amongst other things, seek to ensure that development makes a positive contribution to local character and

distinctiveness and respects, conserves and where possible, enhances the landscape character of its immediate and wider environment.

Suitable location

15. Whilst adjacent to a small grouping of buildings, the site lies outside of any recognised defined development boundary, as identified within the development plan, and there is no dispute between the parties that, in planning policy terms, it is within the countryside.
16. Policy DM 1.3 of the GNLP seeks to deliver development in accordance with a sustainable location strategy for new development which restricts development in the countryside outside the defined development boundaries of settlements unless specific development management policies allow, or it can be demonstrated that there are overriding benefits in terms of economic, social and environmental dimensions.
17. Policy 7.5 of the GNLP relates to self-build and custom build windfall housing development outside defined settlement boundaries. This policy makes provision for the development of small scale residential development, subject to certain criteria being satisfied, including that the proposal would not extend the built form of the settlement; respects the form and character of the settlement and would result in no significant adverse impact on the landscape and natural environment; and that the proposal accords with other relevant local plan policies.
18. The appellant considers that the proposal complies with Policy 7.5. The parties agree that, were I to allow this appeal, the development could be secured as a self-build home through the accompanying UU dated 1 April 2025. There is no dispute between the parties that the appellants would be able to meet the eligibility criteria for Part 1 of the relevant self-build register.
19. I have already identified, above, that the proposal would encroach into the countryside and into the more open, rural landscape, harmfully affecting the character and appearance.
20. There is dispute between the parties as to whether the location is adjacent to a settlement without a boundary, for the purposes of Policy 7.5. There is no definition of a “settlement” in the National Planning Policy Framework (the Framework) or the Planning Practice Guidance and whether, or not, a conglomeration of buildings constitutes a settlement is a matter of planning judgement.
21. The wider area contains small groups of sporadic development in the form of houses and farm buildings, and the appeal site lies adjacent to one such group. It is not, therefore physically isolated. The group contains some dwellings, but no services or facilities, such as schools, shops or community facilities, to meet the day-to-day needs of occupiers of the group. Whilst the provision of services within a grouping of dwellings is not, of itself, definitive as to whether the group is a settlement, the group is of such limited scale that it cannot be considered as such.
22. I note that, in response to an earlier enquiry, the Council advised, in regard to whether the site was isolated, that it lay adjacent to a settlement. However, I have determined this appeal on the basis of the evidence before me and any dispute between the appellants and the Council in regard to their advice prior to the appeal is a matter for them to resolve.

23. Whilst the site is not physically isolated, this does not mean that it would be sustainable in terms of access to services and facilities catering for the everyday needs of the future occupiers.
24. As noted, the small groups of buildings along the Brooke Road contain none of the facilities and services needful for day-to-day living, such as shops, primary schools, public houses, or other community facilities. However, there are some facilities in Shotesham, which has a public house, a church, a bowls club, a park, and bus stops with services linking Shotesham to Norwich, Long Stratton and Harleston where there is a more extensive range of amenity provision and employment opportunities and there are opportunities for wider travel using public transport.
25. The walk or cycle into Shotesham would be along a road lacking footways and street lighting. These factors, and the likely traffic speeds that pedestrians or cyclists would encounter, would deter travel by such modes to such a degree that I would anticipate that the future occupiers of the development would be almost entirely dependent on the use of the private car to meet their everyday needs. Travel on foot or by cycle to more distant settlements would be even less likely, given the distances involved and the similar lack of contiguous footways and street lighting.
26. I note that Shotesham is identified as being within a “village cluster”, alongside Stoke Holy Cross and St Edmund and Bixley in the emerging South Norfolk Village Clusters Housing Allocations Plan. Whilst the emerging plan identifies the support given between villages in the cluster, I have, above, noted that Shotesham has a bus stop. Further the roads within the village have some footway facilities and are subject to a 30 MPH speed limit. Such improved facilities would be expected within villages and the degree of pedestrian and cycling activity, with the greater concentration of homes, would be anticipated to be higher. Drivers would be likely to consider this and alter their driving behaviour to suit. That would not be the case in more sporadic development clusters, such as those outside of the villages.
27. I agree that a drive in a private car to reach any of the other villages within the cluster to reach their services would not be materially different from an occupant in infill development within one village within the cluster accessing services in another village by private car. However, within the villages themselves opportunities for walking and cycling would be greater and, particularly, these would provide access to any public transport without leaving the village.
28. I recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that this should be taken into account in decision-making, and that where there are groups of smaller settlements, development in one village may support services in a village nearby. However, in this case, given the lack of services and facilities in nearby settlements, it is likely that the support of shops and other facilities will appear in nearby towns.
29. I have thus found the overall level of day-to-day access to shops, services and community facilities by walking, cycling and public transport to be so limited that almost total reliance on the private car would result.
30. Whilst a charging point for an electric vehicle could be provided for the dwelling, future occupiers could not be required to use it and so the option of using hydrocarbon fuelled vehicles would remain.

31. The appellants note that there have been no personal injury accidents on the road between the site and Shotesham. However, at the time of my site visit I noted the absence of any cyclists or pedestrians using that route. The absence of such personal injury accidents does not demonstrate that a road is safe, or considered safe, for their use by more sustainable modes. A feeling of concern over personal safety would be sufficient to deter more vulnerable users.
32. Whilst highway safety is not solely judged on the safety of pedestrians and cyclists, but all highway users, on the basis of the evidence before me, the site falls short of any expectation to provide safe pedestrian or cycle access, and would not positively encourage the use of such modes as an alternative to the private car.
33. Drawing these matters together, using this location for a home would harmfully undermine the Council's spatial strategy for sustainable development. This harm, focussed on the lack of access to sustainable transport to provide for the day-to-day needs of future occupiers, whilst, taken on an individual basis, incrementally small, would be ongoing and so I attach significant weight to it.
34. I therefore conclude that the site is not a suitable location for a dwelling, having regard to local policy for the provision of housing, with particular reference to access to services and facilities. The proposal would therefore conflict with Policies DM 1.1, 1.3 and DM 3.10, of the SNLP which, together, seek, amongst other things, to guide new development to sustainable locations, ensure that the countryside retains its distinctive character and ensure that proposals support sustainable transport and development objectives. The proposal would also be in conflict with Policies 2 and 7.5 of the GNLP in as much as, together, these seek to ensure that development has safe, convenient and sustainable access to existing facilities, and does not result in incremental sprawl into the countryside, avoiding significant adverse impact on the landscape and natural environment.

Other Matters

European Protected Sites

35. The proposed development is within the zone of influence of sites covered by the Norfolk Green Infrastructure and Recreational Disturbance Avoidance and Mitigation Strategy (GIRAMS), the nearest of which is The Broads Special Area of Conservation (SAC) and Broads Special Protection Area (SPA) and Ramsar site.
36. The proposed development is also indicated within appeal documentation as being within the nutrient neutrality catchment of The Broads SAC (Bure Broads and Marshes Site of Special Scientific Interest component).
37. When making their decision, the Habitats Regulations require the Competent Authority to consider whether or not the proposal could adversely affect the integrity of a protected site, either alone or in combination with other plans and projects. This responsibility falls to me in the context of this appeal.
38. Had I been minded to allow the appeal, it would have been necessary for me to undertake an Appropriate Assessment (AA). The AA is required on a case-by-case basis to determine whether or not the project would adversely affect the integrity of the European Site. It would also have required a consideration of whether or not any proposed mitigation would be adequate, effective, could be appropriately secured and delivered in a timely manner. However, as I am dismissing the appeal

for other reasons, I do not need to consider the matter further as it would not change the outcome of this appeal and, whilst the issue of the effect of the development on European Sites remains unresolved the outcome could only be, at best, neutral in my considerations.

Planning Obligations

39. It will be seen above that the appellants have submitted two UUs, one to secure the development as self-build and the other to secure mitigation for recreational harm to Protected Sites.
40. In the case of the UU to secure the development as self-build, this would be necessary to ensure that the proposal delivers what it intends. Having regard to the GIRAMS payments, it would be necessary to secure the mitigation to the Protected Sites. In both cases I find that the planning obligations fulfil the tests set out in the Framework, and the parties have not disputed this.

Other Considerations

41. The Council has confirmed that it cannot currently demonstrate a five year supply of housing land in line with Government expectations. The Council currently consider their supply of housing land to stand at 4.85 years.
42. The proposal is for a single self-build dwelling and the Framework supports the development of small and medium sized sites as these can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. Further, the Framework encourages local planning authorities to seek opportunities, through policies and decisions, to support small sites to come forward for self-build and custom-build housing. The proposal would be for a self-build dwelling, and the proposal would go some way to meet the needs for such homes within the District.
43. The provision of a single additional dwelling would support the Government's aim of significantly boosting the supply of homes and improve the current shortfall in the District's housing land supply. However, the benefits of the addition of a single dwelling would be limited in this context and I attach minor weight to this benefit. There would be temporary and ongoing economic benefits from the development, including support for local shops and businesses, but given that only a single dwelling is proposed those benefits would be relatively minor.
44. There would be social benefits through the provision of an opportunity for people to build their own home and, as noted, this is supported within the Framework, and it is likely that future occupiers would provide support for local community facilities and clubs. However, again, given the scale of the development, this would be minor. There would also be benefits through biodiversity net gain. The site is mainly composed of improved grassland with a relatively low value in terms of biodiversity. Nonetheless the gain of 22% in biodiversity units is a modest benefit to biodiversity of the area. These considerations therefore weigh in favour of the proposal, but, for the reasons given above, cumulatively attract only modest weight in my deliberations.
45. The appellants identify that the proposed package treatment plant would have surplus capacity, above and beyond that necessary to mitigate for the effluent produced by the proposed dwelling. However, in order to realise any benefit in

terms of a reduction of nutrients entering the system from elsewhere, the effluent from other sources would need to reach the site for treatment. No means of realising the potential benefits in regard to overall nutrients in the system has been identified, and so this adds no weight in support of the proposal.

46. Paragraph 117 of the Framework sets out that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas. I have found that the proposal would be almost entirely reliant on the private car to reach services and facilities necessary for the day-to-day needs of future occupiers.
47. Whilst it is acknowledged, in paragraph 110 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making, the reliance on the private motor car would, in this instance, be almost total.
48. The appellants have drawn my attention to an appeal case¹ for a site at Land north of Thistle Barn, Lodge Road, Tivetshall St Margaret, Norfolk NR15 2DL. They consider that the proposal in that case is strongly comparable to that before me, involving a self-build dwelling. The Inspector in that case found, having applied the tilted balance, that, although in conflict with the Development Plan, the proposal did not result in any significant adverse impacts that would outweigh the scheme's benefits and therefore allowed the Appeal.
49. However, in the final balance, the weight placed on individual considerations is a matter for the decision maker, having regard to the individual merits of the proposal. I note that, in that case, the Inspector identified that the main route into the nearby settlement was designated as a quiet lane, and that motorists are made aware of its use by pedestrians, cyclists and horse riders. That would not be the case on Brooke Road.
50. Further the Inspector notes that the alignment of the route is constrained and considered it likely that vehicles would not be travelling at or near to the speed limit. Given the alignment of Brook Road, this is unlikely to occur in the case before me. Thus, I do not consider that case to be so similar as to bear direct comparison.
51. My attention has also been drawn to a permission granted by the Council for a new single storey earth sheltered dwelling to be sited in a paddock at Sutton, Spooner Row². Whilst superficially similar, that site is some distance from the site of the proposal before me and does not inform its context. Further, that proposal gained support from the parts of the Framework which promote innovation. No such argument has been promoted in support of the proposal before me. For these reasons I have allocated limited weight to either of these developments in my decision. I have, in any case determined this Appeal on its own individual merits.

Final Balance

52. The proposal would harm the character and appearance of the area because of its design. The occupiers would be almost totally dependent upon the private car and so the proposal would undermine the Council's Spatial Strategy by locating development away from locations with access to services and facilities by more sustainable modes of transport. There would be conflict with Policies 2 and 7.5 of

¹ PINS Ref: APP/L2630/W/24/3346313

² Council Ref: 2021/2764/F

the GNLP and Policies DM1.1, DM1.3, DM1.4, DM3.8, DM3.10 and DM4.5 of the SNLP and I have found no policies that specifically support the proposal. It would therefore not accord with the development plan as a whole and this is a matter that counts significantly against allowing the appeal.

53. Whilst the policies in the development plan predate the current Framework, the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. According to the Framework the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning development process should achieve. It also requires that developments are sympathetic to local character and are visually attractive in terms of good architecture and layout. In addition to good design, the Framework states that developments should have access to more sustainable modes of transport. Therefore, the conflict between the proposal and the GNLP Policies 2 and SNLP Policies DM1.1, DM1.3, DM1.4, DM3.8, DM3.10 and DM4.5 should be given significant weight in this appeal.
54. However, the Government's objective is to significantly boost the supply of homes. Other provisions of the Framework give support to the development of self-build homes and observe that small sites can make an important contribution to meeting the housing requirement. In South Norfolk future housing supply is insufficient. Because of this, paragraph 11 d) of the Framework is engaged.
55. The policies in the Framework seek to both deliver a sufficient supply of homes, locate development sustainably where it will have meaningful access to more sustainable modes of transport and achieve well-designed places. However, the creation of high-quality places and supporting access to sustainable transport modes is fundamental to what the planning and development process should achieve. The proposal before me would fail to achieve either of those aims.
56. Although there is considerable support for new housing in this location the benefits in terms of the overall position in the District would be limited. In this particular case the importance of good design and locating development where future occupiers will have meaningful access to more sustainable transport overwhelms the provision of an extra windfall self-build unit.
57. Therefore, the adverse impacts of the proposal significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

58. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.

I A Dyer

INSPECTOR