
Appeal Decision

Site visit made on 18 November 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/K2610/W/25/3364321

Land off Kerdiston Road, Kerdiston, Norfolk, NR10 4RT

- 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 S Walker against the decision of Broadland District Council.
 - The application Ref is 2024/2620.
 - The development proposed is described as 'erection of 3 self/custom build dwellings with offsite highways improvements.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised set of house type drawings accompany the appeal. These show the dwelling designs as previously advanced, but with floor plans annotated as indicative and additional 'Shell Plans' also included for each house type. Additional detail is provided in respect of external material pallet choices. These plans do not substantively amend the scheme, and the Council and other parties have had the opportunity to make representations. Therefore, no party would be prejudiced by my acceptance of them, so I proceed on that basis.
3. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the appeal. As a supporting document, this does not amend the scheme and the Council have provided comment on it. Therefore, I am satisfied that there would be no procedural unfairness in accepting it.
4. A Biodiversity Net Gain: Condition Assessment was also submitted with the appeal. The Council have confirmed that this has satisfactorily addressed their eighth reason for refusal. I see no reason to disagree. Consequently, I do not deal with this matter further.
5. The appeal is accompanied by Unilateral Undertakings (UU) in an attempt to secure the proposal as self-build dwellings, and mitigation in respect of a number of European designated habitat sites. I return to these later in my decision.

Main Issues

6. The main issues are:
 - the effect of the proposal on the character and appearance of the rural area;
 - whether the appeal site is a suitable location for the proposal, having regard to the development plan;

- whether the proposal would have suitable, sustainable access to services and facilities; and
- the effect of the proposal on highway safety.

Reasons

Character and appearance

7. The appeal site comprises part of a field located on a rural country lane, within a predominantly arable landscape. It forms part of a hamlet known as Kerdiston, within the open countryside. Built form in the area is highly dispersed, dotted through the landscape with significant intervening gaps between it, signifying a very loose, irregular pattern of development. The nearest development is a cluster of three dwellings on the opposite side of the lane comprising a single storey dwelling and a pair of two storey semi-detached dwellings set back behind established greenery. The wider area has a generally elevated open character with wide expansive views across the surrounding farmland. The site is enclosed by mature trees and hedgerows on two sides but remains exposed and open on its others, contributing to the area's distinctly rural and verdant character.
8. No specific architectural style or local vernacular has been identified as defining the character of the area. Furthermore, it has not been demonstrated that the proposed dwellings would fail to contribute to local distinctiveness. However, while the contemporary designs are not unattractive, the dwellings would be of substantial scale and massing, with large, similar footprints arranged in a uniform manner. This would contrast with the three modest dwellings to the northwest and the generally dispersed pattern of development in the wider area.
9. In this rural context, the proposed development would appear dominant and intrusive, introducing an urbanising influence that would erode the established rural character. Given that the surrounding highway network is typically characterised by its narrow rural lanes, the widening of the junction to the east, and the widening of the lane in particular, would exacerbate this urbanisation, together causing significant harm to the area's strong rural character and appearance.
10. Given the sporadic nature of development in Kerdiston, the introduction of three large dwellings in this field currently devoid of development, would harmfully encroach into the open countryside. Moreover, compared to the existing small-scale development in Kerdiston and its sparsely populated feel, the proposal would disproportionately expand the built form in the area to the detriment of the form and scale of the hamlet.
11. Owing to topography, existing planting and buildings, I acknowledge that the visual effects of the development would be limited from longer distance views. However, more localised significant effects would be realised from the north and at close range on approach from the east with the development appearing as an incongruous form of development in an otherwise rural landscape. Although acknowledging that the LVIA points to proposed landscaping to help 'feather the edges', this would take time to establish, and in any event would not fully mitigate the harmful urbanising effects I have identified.

12. My attention has been drawn to perceived inconsistencies by the Council in the application of policies requiring development to make a positive contribution to local character and distinctiveness. A scheme at Blue Tile Farm¹ nearby has been cited. However, this relates to an extension of an existing dwelling rather than new build of a greater scale such as this. The two schemes are not directly comparable such that it does not alter my findings on this appeal.
13. For these reasons, I find that the development would have a harmful effect on the character and appearance of the rural area, in conflict with policies GC4 and EN2 of the Broadland District Council Development Management DPD 2015 (DMDPD). Amongst other things, these policies expect a high standard of design that avoids significant impacts upon the character and appearance of the area. Conflict is also identified with policies 2 and 7.5 of the Greater Norwich Local Plan, Document 1 - The Strategy (2024) (GNLP). Like Policy 2, as well as requiring development to respect the form and character of the settlement, Policy 7.5 also expects housing density to be reflective of that in the settlement and surrounding built up area, that the ratio of the building footprint to the plot area is consistent with existing properties nearby which characterise the settlement, and the proposal should not result in a significant adverse impact on the landscape and natural environment.
14. The thrust of these policies are consistent with the National Planning Policy Framework (the Framework) which, amongst other things, seek to ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change. It follows that the proposal also runs counter to the Framework, as a material consideration in respect of this main issue.

Suitable Location

15. A strategic approach to development is set out in GNLP Policy 1. This seeks to focus the majority of development towards the Norwich urban area which sits at the top of the district's 4 tier settlement hierarchy. 'Main towns' sits beneath Norwich in tier 2, followed by 'Key service centres' in tier 3. At the bottom of the hierarchy are 'Village clusters' which cover the remainder of the plan area, which are expected to collectively contribute to accommodate 9% of total housing growth over the plan period. GNLP Policy 7.4 supports windfall sites in the village clusters with settlement boundaries. However, Kerdiston does not have a settlement boundary, and it is not named as a main village cluster in this policy.
16. DMDPD Policy GC2 seeks to ensure that new development is located within the settlement limits defined on the policies map, unless it accords with an allocation or other development plan policy. The site is not within a settlement with defined settlement limits nor is it allocated, bringing the scheme into conflict with Policy GC2. This is a restrictive policy that provides support for development in the countryside only in exceptional circumstances. The Framework is less restrictive, setting out that housing should be located where it will enhance or maintain the vitality of rural communities. Consequently, it is not wholly consistent with the Framework, thus reducing the weight that I attribute it.
17. However, GNLP Policy 7.5 supports residential development of up to 3 dwellings for self-build and custom build homes (SBCB) for people who meet the eligibility

¹ Planning Ref: 2024/3459/F

criteria of Part 1 of the district's SBCB register² on sites within or adjacent to other settlements without a defined settlement boundary. As the Framework supports small sites coming forward for SBCB housing, I find Policy 7.5 to be consistent with the Framework.

18. It is first necessary to consider whether the proposal can be regarded and secured as genuine SBCB homes. I have not been provided with the eligibility criteria of Part 1 of the district's SBCB register nor the draft Supplementary Planning Document on the matter. However, the appellant acknowledges that they do not meet the criteria of the register.
19. Planning Policy Guidance states that in considering whether a home is a SBCB home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. Off-plan housing, homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer, are not considered to meet the definition of SBCB housing.
20. The SBCB model advanced is customisable pre-designed homes with full planning permission which purchasers can input into through a menu of choices with regards to the external material palette, internal layouts within the fixed shell, and renewable technologies to be installed. Given these limitations the level of customisation would be a light touch.
21. The appellant intends to sell Plots 2 and 3 as serviced plots to SBCB purchasers who would customise and build their plot as their primary residence. A signed UU has been submitted to secure this. However, proof of title is incomplete, such that I cannot be certain that all persons with an interest in the land have signed it. This casts doubt on the enforceability of the obligation should it be necessary. Moreover, it has not been dated so the obligation could not take effect. For the same reasons, the UU provided in respect of Plot 1, for the appellants own occupation, is also not binding. Consequently, irrespective of whether the proposal can be regarded as SBCB, as there is no means of securing this, I am not satisfied that the scheme enjoys the support of GNLP Policy 7.5.
22. Notwithstanding this, GNLP Policy 7.5 also requires proposals to be considered against four criteria, including landscape and character considerations. As I have already found that there would be demonstrable harm to the character and appearance of the rural area, it brings the scheme into further conflict with this policy.
23. Therefore, I find that the site is not a suitable location for the proposal having regard to the development plan, bringing the scheme into conflict with GNLP Policies 1 and 7.5 and DMDPD Policy GC2.

Access to services and facilities

24. Whilst located in the hamlet of Kerdiston, its location is more akin to countryside rather than being adjacent to any meaningful settlement given its sparsely populated feel and lack of facilities. Reepham, a key service centre, is the closest settlement located over 1.72km³ from the site. Although not isolated in that it lies

² As required by the Self Build and Custom Housebuilding Act 2015.

³ 5.6.16 of the Highways and Transportation Report by Doyle Transport Planning Rev A June 2025

close to a small cluster of dwellings, the site is physically and functionally divorced from Reephams and its services and facilities in this regard.

25. Opportunities for journeys by more sustainable means than the private car, would be limited not solely by distance, but by the nature of the highway. Access to services and facilities would be via narrow country lanes subject to the national speed limit, with the vast majority of the route having no dedicated pavement or streetlights. Therefore, walking this route would unlikely be an attractive or feasible option for future occupiers, particularly for those less mobile or with children. For the same reasons, it is likely to deter cycling along this route despite it being part of a National Cycle Network. While a public right of way has been referred to as providing an alternative access, limited details of this route are before me, thus I attribute it limited weight. I have not been directed to any means of public transport that could assist in linking the site to services and facilities as required by Policy GC4 of the DMDPD. This also runs counter to the Framework which expects the planning system to actively manage patterns of growth in support of sustainable transport objectives.
26. Therefore, I find that the appeal site would not have suitable, sustainable access to services and facilities. It does not contribute to achieving sustainable communities by ensuring safe and convenient access for all, including by non-car modes, to local services and facilities, nor would it encourage walking, cycling or use of public transport, as required by Policy 2 of the GNLP, conflicting with DMDPD Policy GC4 for the reasons set out above. It also runs counter to the thrust of the Local Transport Plan 4 Strategy 2021-2036, which amongst other things expects development sites to be in locations that promote active travel and public transport and to significantly reduce traffic generation by private car.

Highway Safety

27. In the vicinity of the appeal site, Kerdiston Road (U57138) is a narrow single width carriageway, subject to a 60mph speed limit. However, the road conditions are such that motorists are likely to be travelling at significantly lower speeds, particularly where forward visibility is restricted.
28. There is dispute regarding whether the access point would have sufficient visibility splays in both directions to enable safe vehicle movements into and out of the site, with the Council indicating that splays of less than 120m in either direction have not been justified.
29. Evidence suggests that the automated traffic count (ATC) was undertaken adjacent to the proposed site access, with vehicle speeds measured over a 24-hour period each day during a week in January 2025. I am therefore satisfied that given the location of the ATC and the breadth of data collected, it provides a fair representation of actual vehicle speeds travelling past the appeal site. The ATC can therefore be afforded significant weight in this regard.
30. The results of the ATC demonstrate 7-day average traffic speeds⁴ in the vicinity of the appeal site of 26mph (eastbound) and 21mph (westbound). Given these results, the Design Manual for Roads and Bridges indicate the minimum eastbound visibility splay should be 37m, whilst westbound it should be 52m. As

⁴ 85th percentile traffic speeds based on the ATC data.

the splays proposed are 90m, I am satisfied that they offer sufficient visibility to enable safe access into and out of the site.

31. It is common ground that the vast majority of the route from the appeal site to the nearest services and facilities in Reepham, comprises a single width lane. Outside the appeal site the carriageway is 2.5m wide as noted on the appellants plans, whereas Norfolk County Council as Highways Authority confirm the north-south Kerdiston Road has a 3.5m wide running width.
32. Figure 7.1 of Manual for Streets⁵ highlights that carriage widths below 4.1m wide make it impossible for two vehicles to pass. As such, the existing situation necessitates that where drivers encounter other motorists, manoeuvring must take place, including reversing to find the nearest place that would allow vehicles to pass. Evidence suggests this means manoeuvring for up to 350m to the nearest place where it is wide enough for vehicles to pass. Irrespective of low speeds and traffic volumes, given the nature of these roads, many drivers are likely to find this difficult, particularly if one or both vehicles are large or a service vehicle. Pedestrians have no separate footway and are particularly vulnerable in such circumstances. Therefore, the current situation is less than ideal.
33. It is also common ground that the scheme would likely add around 18 vehicle movements per day to the network. This would modestly increase the potential for conflicts on the road. Off-site highway works to mitigate the impacts include the provision of a passing place 30m long with 10m tapers which would widen the road immediately outside of the appeal site. Whilst this would assist in allowing vehicles to pass on the U57138 Kerdiston Road east to west stretch of highway, this would not offer mitigation for the effects of the development that would be felt on the wider network.
34. For example, the C265 Kerdiston Road meanders in a north to south alignment and lacks formal passing places. Aside from the one informal passing place shown on the 'Site Access Strategy' which appears to be within the public highway, the evidence indicates that the majority of the other opportunities for passing referred to by the appellant, are access points to fields and dwellings. This suggests a reliance on third party land where there is no guarantee that such land would always remain available for such usage.
35. To increase reliance on these informal passing places that cannot be guaranteed as being available in perpetuity would be unwise, risking additional conflicts between traffic should they become unavailable. Further, the increase in traffic on these narrow lanes would make conflict between two-way traffic more likely. The result would be to exacerbate existing traffic conflicts which would bring about inconvenience for highway users.
36. There is restricted visibility in all directions at the junction of the U57138 Kerdiston Road with the C265 Primrose Lane/Kerdiston Road to the east. The widening of this priority junction is proposed. With maintenance of the highway verge, the forward stopping distance appears to be achievable and intervisibility would exist between the junction and the passing place at the site entrance. However, limited details are provided to show what the improvement works would involve and whether this could be achieved on the ground given the wide verge and the steep drop to a ditch. Consequently, I give this limited weight.

⁵ Department for Transport

37. Whilst some highway improvements are proposed, given my findings above, I am not satisfied that the effects on highway safety can be fully mitigated. However, whilst the two-way passage of vehicles is likely to be inconvenient for road users, I have not been shown that this would be inherently unsafe. The lack of accidents is indicative of that. Drivers are likely to adapt their behaviour for the nature and conditions of the road, adopting lower speeds and caution, such that conflicts would not necessarily be hazardous. Given the modest level of increase in traffic, I therefore am not satisfied that there would be unacceptable impacts on highway safety, which is the test for refusal on highway safety grounds set out in paragraph 116 of the Framework. Significant adverse impacts have not been identified. Consequently, I do not find conflict with DMDPD Policy TS3 either.

Other Matters

38. The evidence before me indicates that due to its siting within the catchment area of the River Wensum Special Area of Conservation, a European designated habitat that is already in an unfavourable condition, there is potential for the development to have significant adverse effects on it from nitrate and phosphate run-off levels. Similarly, increased recreational pressure could also, either alone or in combination, have an adverse effect on a number of other designated habitat sites. Had I been minded to allow the appeal, it would have been necessary for me to further consider these matters in more detail, including whether any necessary mitigation would be appropriately secured. However, as I am dismissing the appeal for other reasons, there is no need for me to undertake an appropriate assessment under the Conservation of Habitats and Species Regulations 2017 or consider the matters further.

Planning Balance and Conclusion

39. The Council cannot currently demonstrate the necessary five-year supply of deliverable housing sites (5YHLS) in accordance with the Framework. The level of shortfall is not before me. An inability to demonstrate a 5YHLS warrants the application of paragraph 11(d) of the Framework. In this case for decision-taking it means where policies which are most important for determining the application are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
40. The modest boost in housing supply, aiding the delivery of modern, energy efficient family homes and the associated economic benefits such as the temporary construction jobs they would create, weigh considerably in favour of the scheme. Whilst cognisant that the dwellings are advanced as SBCB, this is not secured through executed UU(s) such that I give this only limited weight. The off-site highway works would have some public benefit in highway safety and convenience terms that would reach wider than the appeal site dwellings, but this is tempered by the lack of certainty that the works to the priority junction could be realised and, also by their adverse impacts on the character and appearance of the area. Overall, I afford the totality of these benefits moderate weight.

41. On the other hand, I have found that locationally, the site runs contrary to the spatial strategy in that it would not have suitable, sustainable access to services and facilities, the proposal would result in an unsecured type of housing in conflict with the development plan and there would be demonstrable harm to the character and appearance of the area. The totality of these harms attract significant weight.
42. Given the relative benefits weighed against the harm and having had particular regard to relevant key policies, I find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.
43. Consequently, the presumption in favour of sustainable development, as set out in paragraph 11(d) of the Framework is disengaged and the scheme should be considered under a normal planning balance. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
44. In this case, the proposal conflicts with the development plan when considered as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. The appeal should therefore be dismissed.

C Walker

INSPECTOR