



Appeal Decision

Site visit made on 18 June 2019

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th June 2019

Appeal Ref: APP/Y2620/W/19/3222639

The Mill House, Foulsham Road, Hindolveston, Norfolk NR20 5BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs Stephanie Ellis against the decision of North Norfolk District Council.
 - The application Ref PO/18/1436, dated 28 July 2018, was refused by notice dated 12 December 2018.
 - The development proposed is construction of two, two/three-bedroom dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of two, two/three-bedroom dwellings at The Mill House, Foulsham Road, Hindolveston, Norfolk NR20 5BY in accordance with the terms of the application, Ref PO/18/1436, dated 28 July 2018, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Procedural Matter

2. The application was made in outline with all detailed matters reserved for later determination and I have dealt with the appeal on this basis.

Main Issue

3. Whether this would be an appropriate location for the two dwellings proposed, with particular regard to accessibility to services, highway safety and the character and appearance of the area.

Reasons

4. Hindolveston is a quite small, generally linear settlement of historic origin. It is a coherent and consolidated rural village, rather than comprising either dispersed development or an isolated hamlet. Nevertheless, it currently supports few services and lacks, for example, a primary school, convenience store or public house.
5. Policy SS1 of the Council's Core Strategy¹ (CS) focusses the majority of new development into the towns and larger villages, with a lesser amount into those smaller villages with services. Hindolveston is not a defined service village and so for policy purposes is designated as countryside. As such, CS Policy SS2 limits new development here to that requiring a rural location or for specific reasons, including the provision of affordable housing, neither of which apply to this proposal for two market dwellings.
6. The proposal therefore conflicts with CS policies SS1 and SS2 which remain broadly consistent with the National Planning Policy Framework (the Framework). This is in respect of setting an overall strategy for the pattern and scale of sufficient housing (including that which is affordable) and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions so as to improve air quality and public health.
7. However, the Framework requires that planning decisions take into account that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Paragraph 78 of the Framework states that to promote sustainable development in the latter, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. It goes on to say that where there are groups of smaller settlements, development in one village may support services in a village nearby.
8. The two houses proposed would occupy a piece of land to the fore of The Mill. The outward extent of this land is clearly delimited by the access to the property at the rear and the hedge beyond this. Housing extends for a short distance out of the village beyond the appeal site on the road frontage opposite. On the proposal side, the two dwellings would comprise the rounding-off of development up to the edge of the village, beyond which the landscape is more clearly that of open countryside.
9. Occupiers of the new dwellings would have a relatively high dependency on private car use to access a full range of essential services and facilities, similar to existing residents of Hindolveston. However, the small degree of further harm from two additional households in this respect has to be balanced against the benefits of maintaining the vitality of the village. In this regard I have given greater weight to the less unequivocal stance of the Framework, compared to that of the earlier CS, over restricting anything but affordable housing within this rural settlement.
10. The appeal site fronts the outward curve of a slight bend in Foulsham Road. This is a narrow, single-track country lane which is restricted to 30mph but has

¹ North Norfolk Local Development Framework – Core Strategy incorporating Development Control Policies September 2008.

characteristics of width and alignment likely to restrain traffic speeds to below this. Although access is a reserved matter, a reasonably safe means would appear to me feasible, as indicated by the appellant, through a centrally positioned shared drive with sighting onto the Foulsham Road provided by removing the roadside hedge. This might not fully achieve the visibility standards recommended by Manual for Streets 2. Nevertheless, the relatively low amount of additional vehicular movements generated by two three-bedroom dwellings, given the likely low flows and speeds of traffic along this rural lane, leads me to conclude that a safe and suitable access to the site for all users, as required by the Framework, could be achieved.

11. The new entrance to the site, the loss of the frontage hedge and the development of two dwellings would clearly alter this part of the village. However, the character and appearance of the development, including any replacement planting, and the new site access would be governed by the approval of suitable reserved matter details. Therefore, I do not find the proposal would be of material harm to the interests of either highway safety or the character and appearance of the area such as to conflict with CS policies CT5 or EN2.

Planning Balance and Conclusion

12. The Council advises that a five-year housing land supply, as required by the Framework, can be shown for North Norfolk. Due to the age of the development plan, this is based on local housing need and the standard methodology introduced nationally in February 2019. However, the estimate given is only fractionally over the five-year requirement which, in any event, does not apply a ceiling on housing provision.
13. This proposal would comprise the suitable rounding-off of development to this side of the village. Any limited harm deriving from the conflict with CS policies SS1 and SS2 would be outweighed by the modest social benefits provided to rural housing supply and the vitality of the village. The application was made in outline with all detailed matters reserved. Given these further requirements, the proposal is found to be acceptable in terms of both the effects on highway safety and the character and appearance of the village. Standard conditions are necessary for granting outline planning permission where all details are reserved. Subject to these, I conclude that the appeal should be allowed.

Jonathan Price

INSPECTOR