



# Appeal Decision

Site visit made on 23 December 2004

by Peter Nock BA DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: enquiries@planning-  
inspectorate.gsi.gov.uk

Date - 4 FEB 2005

Appeal Ref: APP/V2635/A/04/1153697

Land to the west of Wayside, 195 Outwell Road, Emneth, Norfolk PE14 8BG

- 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 Mr and Mrs G L Lake against the decision of Kings Lynn and West Norfolk Borough Council.
- The application (Ref.2/04/0208/O), dated 30 January 2004, was refused by notice dated 24 March 2004.
- The development proposed is the construction of a dwelling.

**Summary of Decision: The appeal is dismissed.**

## Procedural Matters

1. The planning application submitted was in outline and, as neither box on the planning application form relating to access was ticked, I will determine the appeal on the basis that all matters are reserved.

## Main Issue

2. I consider that the main issue is the effect of the development on the character and appearance of the countryside.

## Planning Policy

3. The Development Plan for the area includes the Norfolk Structure Plan (1999) and the Kings Lynn and West Norfolk Local Plan (1998). I consider that the following are the most relevant Development Plan policies. Both policies H.8 of the Structure Plan and 8/8 of the Local Plan do not allow for new dwellings in the designated countryside unless needed in relation to a rural enterprise. Policy 8/7 of the Local Plan relates to all developments in the countryside and development will only be permitted where they meet the criteria of the policy. Policies ENV.1 and ENV.4 of the Structure Plan are intended to protect the environmental assets of the County and the distinctive character of the countryside respectively with policy ENV.4 not allowing any development proposals that would harm the distinctive character of the countryside.
4. Planning Policy Guidance Note (PPG) 3 'Housing' and Planning Policy Statement (PPS) 7 'Sustainable Development in Rural Areas' provide the latest government guidance on their respective topics. Both documents emphasise the importance of promoting sustainable patterns of development and reusing previously developed land. One of the key principles of PPS7 requires that new development away from established settlements in the countryside, or outside areas allocated for housing in development plans, should be strictly controlled to protect, amongst other concerns, the intrinsic character and beauty of the countryside.

### Reasons

5. The appeal site is located to the south-west of the village of Emneth on the northern side of Outwell Road between two existing dwellings. Outwell Road was previously part of the main A1101 but with the construction of a by-pass it is now a minor road for local traffic. It is fronted by sporadic development particularly on the north side and around the junction with the new by-pass just to the west of the appeal site. The surrounding countryside is typified by sporadic frontage developments either in small groups or isolated dwellings separated by large and small gaps in the frontage.
6. The appeal site is rectangular, flat and enclosed to the front and rear by trees and hedges. An unmade track runs along the eastern side of the site and this would provide access to the development. To the west of the site there are a number of residential properties of varying sizes and designs fronting onto Outwell Road and to the east there is a single residential property with agricultural land beyond. To the north there is agricultural land. On the opposite side of the road is a single residential property with agricultural land beyond.
7. Outwell Road and the adjacent land, including the appeal site, is located some distance away from the settlement of Emneth in the area defined as countryside in the adopted Local Plan. In order to protect the intrinsic character of the countryside the Development Plan policies for this area strictly control residential development in the countryside only allowing such development where it is needed to support local rural enterprises and operations. No justification has been submitted with the application on that basis.
8. The appellants refer to advice in PPG7 'The Countryside-Environmental Quality and Economic and Social Development' relating to small gaps in a built up frontage and infill housing. PPS7 has now replaced PPG7 and I consider that the undeveloped spaces along the Outwell Road frontage, including the appeal site, are important in giving the countryside its open rural character. Their retention is important in ensuring that this character is conserved. Infilling of the appeal site with a dwelling would significantly change its appearance and would see the further consolidation of built development at the western end of Outwell Road. I consider that this would prejudice the retention of the loose knit form of development that is an intrinsic characteristic of the rural area, and increase the visual prominence of built development in the countryside at the expense of its open appearance. There are many other undeveloped frontages of varying lengths along the highway and allowing this appeal would, in my view, encourage the submission of similar applications which, if approved, would cause further harm to the open rural character of the countryside.
9. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the countryside and would be contrary to policies H.8, ENV.1 and ENV.4 of the Structure Plan and 8/7 and 8/8 of the Local Plan.

### Conclusions

10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

### Formal Decision

11. I dismiss the appeal.

  
INSPECTOR