
Appeal Decision

Site visit made on 25 October 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date:

Appeal Ref: APP/E3525/W/16/3155247

Land south of The Firs, Church Road, Hawstead, Suffolk IP29 5PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr David Woollard against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/15/2242/FUL, dated 4 November 2015, was refused by notice dated 22 January 2016.
 - The development is described on the application forms as a proposed two bedroomed bungalow with lean-to for vehicles on land in Suffolk, Pinford End, near Bury St Edmunds.
-

Decision

1. The appeal is dismissed.

Procedural matter

2. The appeal site address has been described in several different ways in the documentation before me. However, what is clear is that the site is located to the south of The Firs on Church Road. The Councils decision notice and the appellants appeal form refer to the site as being at Hawstead and I have therefore used this to describe the address of the appeal site.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on highway safety.

Reasons

Character and appearance

4. The appeal site is located at the southern extremities of the hamlet of Pinfold End and is a broadly triangular piece of land between Church Road, a public footpath, and the adjacent property, The Firs. The area is distinctly rural in character with only very modest development. The site is an overgrown area of land with thick hedgerow and trees to the road frontage, and high conifer trees to The Firs. The site is visible from the public footpath although there is also some tree screening.
 5. The appeal site is located, in planning policy terms, in the countryside and in special landscape area. Whilst the appellant has questioned why the site was excluded from land being part of the village two generations ago, this is not a matter for me to determine.
-

6. Whilst the site has a large degree of screening as a result of the existing hedgerows and trees, the construction of a new dwelling on this site would lead to encroachment into the countryside and would erode the rural nature of the area having an urbanising effect, to the detriment of the character and appearance of the area.
7. I acknowledge that the development would leave a gap between the dwelling and The Firs, and would not be densely developed. However, this would not overcome the harm I have found to the rural character of the area.
8. Paragraph 55 of the National Planning Policy Framework (the Framework) seeks to promote sustainable development in rural areas and indicates that housing should be located where it will enhance, or maintain, the vitality of rural communities. However isolated homes in the countryside should be avoided unless there are special circumstances.
9. Pinford End does not have any facilities, but as I understand it, has milk post and newspaper deliveries in addition to a school bus service. Notwithstanding these mobile services, the occupiers of the proposed dwelling would have to rely heavily on the facilities and services of other larger settlements, such as Bury St Edmunds. This would invariably involve regular travel by the private motor vehicle which is the least sustainable mode of transport. This leads me to conclude that the dwelling would be isolated in the context of paragraph 55 of the Framework.
10. The appellant has given details of a past connection with the village and the reasons for wanting to live on the site. However, from the evidence before me, it does not amount to any of the special circumstances outlined at paragraph 55 of the Framework, or would enhance or maintain the vitality of the rural community.
11. For the above reasons, I conclude that the dwelling would lead to unacceptable harm to the rural character and appearance of the area, contrary to Policies DM1, DM2, DM5 and DM13 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (LP) and Policies CS1 and CS13 of the St Edmundsbury Core Strategy 2010 (CS) and the Framework which amongst other matters seek to protect the rural character and appearance of the area.

Highway safety

12. The proposed development would utilise an existing access point onto Church Road, albeit upgraded. Suffolk County Council, as Highway Authority, has indicated that visibility splays of 2.4 metres by 90 metres would be required to meet the design standard outlined in the Design Manual for Roads and Bridges.
13. Whilst I have not been provided with any evidence to demonstrate that these could be provided, from my site visit it would appear that these splays could be substantially achieved in both directions. On this basis, it would be possible for a safe and suitable access to the site to be achieved.
14. However, in order to achieve the visibility splays there would need to be significant works to the trees and hedgerow fronting Church Road. The extent of this would be likely to involve total removal of some sections or substantial trimming. The net result of this would be a significant, detrimental, change to

the character of the site and the area which would further exacerbate the harm I have already identified to the character and appearance of the area.

15. For the above reasons, I find that there would not be significant harm to highway safety and as such the proposal would accord with Policy DM2 of the LP and CS3 of the CS and the Framework which seeks to ensure that developments have a safe and suitable access for all people.

Conclusion

16. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR