
Appeal Decision

Site visit made on 13 December 2016

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 11 January 2017

Appeal Ref: APP/H3510/W/16/3160666

Chair Hall Farm, The Green, West Row, Suffolk IP28 8QJ

- 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 Ms J Hartman and Ms B Leopold against the decision of Forest Heath District Council.
 - The application Ref DC/16/1002/FUL, dated 12 May 2016, was refused by notice dated 14 July 2016.
 - The development proposed is the erection of a detached dwelling with associated access and parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
 - i) the effect of the proposal on the character and appearance of the area; and
 - ii) its accessibility to services and facilities by sustainable means of transport.

Reasons

Character and Appearance

3. The site forms part of a paddock which is adjacent to the buildings of Chair Hall Farm. It is next to a group of dwellings which are in the countryside and outside the settlement limit for West Row as defined in the development plan. Along The Green there are sporadic dwellings but the road is rural in character with open farm land and paddocks predominating.
4. The Council says that it has a five-year supply of housing land as required by the National Planning Policy Framework (the Framework) and the appellants have not disputed this position. The Council's policies for the supply of housing remain up-to-date on this basis. Policies CS1 and CS10 of the Core Strategy¹ (CS) and policy DM5 of the Development Management Policies² (DMP) restrict housing development in the countryside except in specified circumstances and

¹ Forest Heath Core Strategy (2010)

² Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (2015)

are policies for the supply of housing. Because the site is in the countryside the proposal would not accord with those policies.

5. The Council considers that its settlement boundary plans carry limited weight as they predate the Framework. This would be relevant if the site were adjacent, or close to the settlement boundary but it is about 0.8 km away from the boundary. The Framework³ policy is that new isolated homes in the countryside should be avoided unless there are special circumstances. The above policies are consistent with the Framework in this respect and I give them full weight.
6. Policy DM27 of the DMP allows for new dwellings in the countryside provided that they are within a closely knit cluster of 10 or more dwellings and the development consists of infilling a small plot commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage. The note to the policy clarifies that the plot sizes and spacing between dwellings should be similar to adjacent properties.
7. The site is on the edge of a group of ten dwellings including Greenleas Farm and an adjacent bungalow under construction. Reference has been made to an adjacent proposed barn conversion but I understand that this has not been carried out. 'Trelowen' is a separate bungalow which does not adjoin the group and cannot therefore be considered part of it. The group is spread out on both sides of the road rather than being closely knit as required by policy DM27. Furthermore the proposal would not be within a continuous built up frontage but on the edge of the group and separated from the farm house by intervening farm buildings. For these reasons the proposal would not accord with policy DM27 of the DMP.
8. The proposed chalet bungalow would be 'L' shaped in plan, occupying most of the width of the site with a new access drive. New hedges would be planted around the site and overall the development would result in the site having a suburban appearance in contrast to the open rural character of the surroundings. The Framework requires as a core planning principle that the character of different areas is taken into account including recognition of the intrinsic character and beauty of the countryside. For the reasons given the proposal would unacceptably harm the character and appearance of the area.
9. Policy CS3 of the CS requires protection of landscape character and policy DM2 of the DMP requires proposals to recognise and address key characteristics of the area and to maintain local character. For the above reasons the proposal would not accord with those requirements.

Accessibility

10. West Row is identified in policy CS1 of the CS as a Primary Village in the settlement hierarchy. As such it is a sustainable location where development can be permitted. The appellants have drawn attention to a number of developments which have recently been permitted in the village. The village has a range of facilities including a primary school and there are regular bus services to larger centres.
11. The site is within walking distance of the village facilities and bus stops. The Green has no footpaths but there are verges where pedestrians could take

³ NPPF paragraph 55

refuge from passing traffic and the road is subject to a 30 mph speed limit. Occupants of the proposed dwelling could also cycle to local facilities. For these reasons I find that there is a reasonable level of accessibility to services and facilities by sustainable means of transport. However given the distance of the site from the village it is likely that the private car would remain as the main form of transport. For these reasons the proposal would not fully accord with the Framework's core planning principle of making the fullest use of public transport, walking and cycling.

Overall

12. The appellants have drawn attention to recently approved dwellings in the immediate area of the site. I saw on my visit that two detached houses have recently been built on the other side of Chair Hall Farm and that a bungalow was under construction on the opposite side of The Green. The Council has however clarified that those dwellings were approved at a time when it could not demonstrate a five year supply of housing land and that on this basis its policies for the supply of housing would not have been up-to-date.
13. I have had regard to the appeal⁴ referred to by the appellants. In that case the Inspector found that the proposed development was separated by a very short distance from the settlement boundary. The circumstances of that case also differ from the proposal before me in that it was for conversion of a building albeit that it involved significant new building works. For these reasons the decision referred to does not alter my findings.
14. Policy DM1 of the DMP provides for a positive approach to sustainable development. In as far as the proposal would be reasonably accessible by sustainable means it would accord with the environmental dimension of sustainable development. In as far as it would be supportive of local facilities and of the local economy it would accord with the social and economic dimensions. However the harm that I have identified in terms of the character and appearance of the area would weigh significantly against the environmental dimension. I have also found it likely that the private car would be the main form of transport which would also weigh against the environmental dimension.
15. I have taken into account the energy and water saving measures and the methods of sustainable construction that could be used but for the above reasons I find that the proposal would not be a sustainable form of development when considered as a whole.

Conclusion

16. For the reasons given I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR

⁴ APP/K2610/A/2226150